Chapter VII: STATE HIGHWAY ACCESS MANAGEMENT

1. INTRODUCTION

This Chapter serves as a rule for the Utah Department of Transportation on the issuance of driveway and street access permits and also provides guidance to land owners or developers for **when** a driveway or access permit is required, **how** to apply for a driveway permit, **what** standards or guidelines are considered in the granting of access permits, and what to do when a **variance** request from the standards or rules is sought.

1.1 General Provisions:

This Section serves to establish highway access management procedures and standards to protect Utah's State Highway system. The State Highway system constitutes a valuable resource and a major public investment. The Utah Department of Transportation has an obligation and a public-trust responsibility to preserve and maintain the State Highway system, protect the public investment in this system, and to ensure the continued use of State Highways in meeting state, regional, and local transportation needs and interests.

Failure to manage access to and from State Highways can cause an increase in accidents, increased traffic congestion, decline in operating speed, loss of traffic carrying capacity, and increased traffic delays. This failure results in reduced traffic mobility, increased congestion, transportation costs and delay, and contributes to higher rates of property damage, personal injury, and fatal accidents. The proliferation of driveways, intersections, and traffic signals without regard to their proper design, location and spacing degrades highway operation and performance and poses traffic hazards for the traveling public.

The Department recognizes that property owners have the right of reasonable access to land uses. The Rule establishes standards that balance the need for reasonable access to land uses with the need to preserve the smooth flow of traffic on the State Highway system in terms of safety, capacity, and speed.

It is a goal of the Utah Department of Transportation to improve public safety in the development, design, and operation of the State Highway system. In exercising this public safety duty, the document includes provisions to limit the number of conflict points at driveway locations, separate highway conflict areas, reduce the interference of through traffic, space at-grade signalized intersections, and provide for adequate on-site circulation and storage.

Statewide implementation of access management techniques ensures equitable, uniform, consistent, and systematic application of Access Management standards. Access Management standards in the Manual have developed for segments or classifications of highways which have similar traffic movement purposes and objectives. Access Management standards have been calculated to achieve safety, capacity, and traffic flow objectives for each classification.

The Rule requires that permission to install and installation of access facilities to the State Highway System shall be made by permit from the Department. This document provides a description of information to be contained in the permit application, the standards against which the application shall be measured, and the administrative relief which is offered by the Department to review the balance of private property rights of reasonable access versus the public need to preserve the smooth flow of traffic on the State Highway system. The standards, procedures, and requirements of this Rule are in addition to other county or

municipal land use regulation authority and apply to access permits on the State Highway system. Local governments may adopt similar policies or procedures for application of access management on other street systems.

It is the intent of the Department to work closely with property owners and local governments to provide reasonable access to the general street system that is safe, enhances the movement of traffic, and considers the vision and values that local communities have established for themselves.

UDOT shall utilize the whole of the right of way to the best advantage for highway purposes, through a permit action, which assesses and grants the number, location, width and design of connecting facilities and driveways.

The primary function of a state highway shall be to provide state highway system continuity and efficiency of state highway system operation and maintenance activities. A state highway shall provide access to property as a secondary function. (State of Utah Code, 72-4-102.5).

1.2 Authority:

Department Access Management activities derives, but is not limited to, powers authorized by the following sections of the Utah Code:

72-1-201	**Creation of Department of Transportation -- Functions, powers, duties, rights, and responsibilities.**
72-4-102.5	**Rulemaking -- Criteria for state highways.**
72-1-102(11)	**"Limited-access facility"**
72-7-103	**Limitation on access authority.**
72-6-117	**Limited-access facilities and service roads -- Access -- Right-of-way acquisition -- Grade separation -- Written permission required.**
72-3-109	**Division of responsibility with respect to state highways in cities and towns.**
72-2-117(9)	**Transportation Corridor Preservation Revolving Loan Fund -- Distribution -- Repayment -- Rulemaking.**

1.3 Implementation:

The Rule and associated amendments may be implemented in phases at the discretion of the Department. All Access Management Standards included in this Manual are based on national accepted traffic engineering principles and a rational process designed to balance the need for reasonable access to land uses with the efficient flow of traffic. This Manual, standards and processes herein, may be implemented without formal assignment of State Highways to Access Management Categories, without formal development of application completeness checklists, without formal development of variance or appeals forms, development of signal or corridor access plans or without the formal or informal development of other procedures referenced or implied by the adoption and use of this Manual.

Access permits shall be issued only when the application is found to be in compliance with the Manual or the judgement of the Department. The Department is authorized to impose terms and conditions as necessary and convenient to meet the requirements of the Manual. In no event shall an access permit be issued or authorized if it is detrimental to the public

health, welfare, and safety.

Direct access from property adjacent to a State highway facility shall be permitted only if the proposed access meets the purposes and requirements of the Manual. Local traffic from a subdivision abutting a State Highway shall be served by an internal street system of adequate capacity, intersecting and connecting with State Highways in a manner that is safe and consistent with the assigned access category and that meet or exceed design requirements of this chapter.

A grant of access permit may be for direct, reasonable (indirect), or shared access. A grant of access does not mean or guarantee full or full movement access at an access point or connection.

1.4 Corridor Agreements

The Department, in cooperation with local governments, may draft agreements for the planned and future spacing or installation of access points and connections based on the assigned access category for the facility. The local governments shall consider these agreements upon approval of their local development orders. See **Section 2.6, General Permit Issues**, for more information.

2. ADMINISTRATION

2.1 Purpose

This section sets forth the procedures and requirements governing the issuance of State Highway access permits by the Utah Department of Transportation for use or occupancy of right-of-way on State Highways for the purpose of constructing and using private driveways and approaches and/or public road and street intersections connecting with a State Highway. The access category inventory for the State Highway system, the access permit types, and the permit process are covered in this section.

The standards that access applications are held to varies with the level of importance of the roadway and the magnitude of traffic to and from the land use or development. The level of importance of the roadway is defined by the Access Management Category for that segment of roadway. The Category is assigned based upon, but not limited to, evaluation of the attributes and characteristics of whether or not the facility is a part of the National Highway System (NHS), Federal Highway Administration functional classification, urban or rural designation, and posted speed. State Highway Access Management Standards are defined for signal spacing, street spacing, driveway spacing, and access separation from interchanges.

2.2 Access Inventory

The Department shall maintain an inventory of each section of State Highway listing its access category assignment based on the access categories described in **Section 3, Access Categories and Standards.** The Access Inventory listing the access category of each section of State Highway in the State shall be available from the appropriate Department Region and District office.

In deliberations regarding selection of access category assignments, the Department may consider adopted administrative and functional classifications, National Highway System (NHS) routes, designated urban areas, existing and projected traffic volumes, posted and operating speed, current and future highway capacity and levels of service, current and predicted levels of highway safety, adopted state and local transportation plans and needs, the character of lands adjoining the highway, adopted local land use plans and zoning, the availability of existing and planned vehicular access from local streets and roads rather than a State Highway, and other reasonable access provided by municipal streets and county roads. Assignment boundaries should be logical and identifiable. Highway system hierarchy and facility continuity should be maintained to the extent reasonable.

A. Inventory Review and Request for Reassignment

Requests for changes in the access category of a State Highway or sections thereof will be submitted to the Department through the appropriate local authority, and metropolitan planning organization where appropriate. All requests shall include information pertaining to the factors cited above and shall explain the need for the requested change. The explanation shall also discuss how the requested change is consistent with and conforms to the purpose and standards of the Manual and does not compromise the public health, safety, and welfare. A request for reassignment in access category shall not be made solely to accommodate eventful or planned growth of an entity, a specific access request, or to

allow the permitting of access connections that would otherwise not be permitted.

The Department may coordinate and cooperate with local governments in the review of plats, zoning, subdivision, and other land use regulations affecting the safety and operation of State Highways to ensure that future access requirements related to local land use decisions are consistent with the purposes and standards of the Manual. The issuance or approval of any permit, agreement, plat, subdivision, plan, or correspondence shall not abrogate or limit the regulatory powers of the Department in the protection of the public's health, safety and welfare.

B. Inventory Update

This inventory shall be reviewed once every two (2) years to accommodate requests and changes in the highway environment affecting the access requirements of the highway. The initial assignment of access categories and any subsequent revision shall be determined in cooperation and coordination with appropriate local authorities, including public input, to ensure that assignments are compatible with preserving and maintaining the highway's intended and designed function within the State Highway system and within the context of the area's transportation needs and plans.

2.3 Permit Types

A. Access Permit

A grant of access permit is required to be obtained from the Utah Department of Transportation whenever a new driveway, other curb cut, or local street connection is required on a State Highway. This applies to permission to construct a new driveway or vehicular access, modify or relocate an existing driveway or access, or to close an access on the State Highway right-of-way. A new access permit is also required when there is a change in Land Use or a change in the use of an Existing Access Permit. **(See Section 2.4, Access Permit Process)**. Abuse or noncompliance of a grant of access will be subject to enforcement through fine and or corrective measures. A grant of access permit does not carry right of construction.

B. Temporary Access Permit

A temporary grant of access permit is required to be obtained from the Utah Department of Transportation whenever a temporary driveway or connection is required on a State Highway. A temporary driveway or connection may be for the purpose of access necessary to accommodate actions associated with site construction or development. The term of the temporary grant of access shall be clearly marked on the permit. Abuse of a temporary grant of access will be subject to enforcement through fine and or corrective measures.

C. Construction Permit

A grant of access permit does not carry right of construction. Applicant or designee of applicant, will have to apply and receive approval for a construction permit (related to the access permit) with appropriate traffic control and construction plans. A copy of the grant of access permit shall be attached to the construction permit. (**See Section 2.7, Construction of Access**).

To apply for a grant of access permit, it is recommended that applicants work closely with both the local government land use approval division as well as the appropriate UDOT Region or District office.

2.4 Access Permit Process

A. Contact Appropriate UDOT Region Office

Persons wishing to apply for grant of access to a State Highway should contact the appropriate Regional Office of the Department to determine who is responsible for processing permit applications in the area and to obtain an application. Region Department offices are located in Ogden, Salt Lake City, Orem, and Richfield, Utah. District Department offices are located in Cedar City, Richfield, and Price, Utah.

B. Permit Required

A State Highway Grant of Access Permit is required to construct, modify, relocate or close a vehicular access, where such work will connect to or be within State Highway right-of-way. To obtain permission, a complete application shall be submitted to the Department for review. Incomplete applications shall be returned to the applicant by the Department. Permit applicants shall also comply with all Federal, State and local government approvals and environmental laws before the Department can grant a permit.

- Site plan approval by a local government does not entitle the applicant to access on a State Highway.
- Grant of access by the Department does not entitle the applicant to an approved site plan.
- Grant of access approval, by permit, does not allow applicant to construct the access, a construction permit is required (**See Section 2.7, Construction of Access**).

Condition(s) requiring Grant of Access Permit application:

- New Access Request (no previous access)
- Modification of Access Request (reconfigure / relocation / reconstruction)
- Change of Land Use
- Change of intensity of Land Use
  - Trip generation exceeds 100 pk hr / 500 daily
  - Trip generation 20% greater than existing
  - Trip generation signifies change in Permit Application Level
- Closure of Access (access no longer utilized / needed)

Change of intensity of Land Use is recognized when an existing land use, through development or redevelopment, intensifies. ITE Trip Generation procedures or other Department accepted methodology may be used to identify this change. Change in land use intensity, requiring permit application and review, would be; trip generation that exceeds 100 trips peak hour and or 500 trips daily. Review would be necessary if change in trip generation, peak hour or daily, is 20% or greater of existing. Review would also be necessary if trip generation change causes a change in Permit Application Level.

Other land use changes defined by local government land use permitting which include any land use change that requires a change in zoning, site plan, or conditional use approval by

the local government entity shall also require permit approval by the appropriate UDOT Region.

It is the responsibility of the property owner and permittee to ensure that the use of the access to the property is not in violation of the Manual and permit terms and conditions. The terms and conditions of any permit are binding upon all assigns, successors-in-interest, heirs and occupants. If any significant changes are made or will be made in the use of the property which will affect access operation, traffic volume and or vehicle type, the permittee or property owner shall contact the Department to determine if a new access permit and or modifications to the access are required.

The intent of this subsection is to recognize that beneficial modifications to existing developed property are to be encouraged. The redevelopment, reconstruction, remodeling, assemblage, and any other modifications to existing property will allow the property to retain some direct access if direct access currently exists. Where there is a private access to access category 1,2 or 3 State Highways, a change in the use of the access requires full conformance with the standards of the category and may require closure of the access to achieve conformance.

2.5 PREPARING A GRANT OF ACCESS APPLICATION

Outline:

I Application Preparation and Submission Information

A. Pre-Application / Concept Meeting
B. Access Category Determination
   Access Category 1-9
C. Access Type
   Driveway or local facility Connection,
D. Permit Type
   Grant of Access or Temporary Access (construction, special event, etc.)
E. Permit Level Determination
F. Traffic Impact Study Determination
G. Request for Variance from Standards

II Submit Application for Review

A. Application Completeness Check
B. Formal Application Review

III Permit Review

A. Approve / Deny Access Permit
B. Permit Fees, Forms, and Records
C. Permit Acceptance / Expiration

I. APPLICATION PREPARATION And SUBMISSION INFORMATION

A. Pre-Application / Concept Meeting

Prior to submitting a permit application, applicants should contact the appropriate Region Office for information about the application process and the type of information that may be required to be submitted. The applicant is advised to consult with the Region Permit Officer during a pre-application meeting to determine the appropriate access category, permit application level, and traffic impact study requirements and scope for the project.

A preliminary meeting provides Department personnel and/or local authorities an early opportunity to examine the feasibility of the access proposal with the applicant and to consider whether it is permissible under the Department's access standards. This meeting provides an opportunity to discuss site specific conditions and options for site access location and design; review the applicability of requirements in the Manual or requirements in any locally adopted access plans; and agree on the necessary materials to be submitted with the formal permit application. Preliminary discussion of these matters can expedite later review and evaluation of the permit application.

It is strongly recommended that applicants seeking a grant of access permit request a pre-application meeting with the appropriate Department permit officer and local authorities. Applicants will be advised to perform a traffic impact study. The scope of a traffic impact study will be determined at the pe-application meeting. The permit officer and traffic engineer will determine traffic study scope. A Level 1 grant of access permit application may involve a limited traffic study. Level 2, 3, and 4 grant of access permit applications will require a detailed Traffic Impact Study. See **Section 2.9, Traffic Impact Study,** for more information.

- Applicants should provide sufficient materials such as preliminary maps, plans, and documents to illustrate the site, the size and type of proposed land use, estimated traffic volumes and vehicle types generated by the site, adjacent public roads and highways, adjacent properties, and any existing or available access points.

- Identification of Established Line Control, Limited Access or No Access

  Determination should be made whether established lines of Limited Access or No Access exist in relation to or adjacent to the area in which access is sought.

  Where a Limited Access or No Access line is established and a break or modification of the line is granted for access, the applicant and or permittee shall be responsible for the costs incurred, at current fair market value, for reimbursement in relation to the line break or modification.

More than one pre-application meeting may be needed to identify and assess information requested for the grant of permit application.

If a pre-application meeting is held, an application can be submitted anytime after the pre-application conference. An application may be submitted at the end of the pre-application conference.

The pre-application conference will not serve as binding on the Department or the applicant. Information presented and findings generated during the pre-application meeting will be documented and confirmed in a written notification. However, only the information presented in the formal permit application is utilized in the permit review.

B. Access Category Determination

Determination of the appropriate Access Category may be accomplished from the following sources. First, determine approximate location of site in relation to State Highway System. The Access Category may be determined graphically, either on hard copy map available at the appropriate Region or District office or via the Department web site. A written listing of the Access Category Inventory will be available via the same sources. Mapping will not be held as the sole determination for access category assignment. The Access Inventory, listing the access category assignment by accumulated mile post, should be utilized in areas where the access category determination can not be acceptable from mapping. Field assessment by a Permit Officer, Traffic Engineer, or designee will verify the appropriate access category assignment. Section 3.3 Roadway Categories, explains in detail the Access Categories. Table 2-1, State Highway Access Management Categories, below, lists the State Highway Access Category types.

Table 2-1:
State Highway Access Management Categories

Category Assignment		Level-of-Importance
1	I	Interstate / Freeway
2	S-R	System Priority Rural
3	S-U	System Priority Urban
4	R-S	Regional Rural
5	R-UF	Regional Urban Fluid
6	R-US	Regional Urban Static
7	C-R	Community Rural
8	C-U	Community Urban
9	O	Other

Upon application for an access permit, the Permit Officer will verify the appropriate access category. The Permit Officer will make final determination on the category assignment.

C. Access Type

Applicant will note on application the type of grant of access requested.

Access type are;

- Agricultural,
- Residential, or
- Commercial.

Additionally, the applicant will identify the type of physical connection requested. The connection may serve either;

- private driveway, or
- local street connection.

D. Permit Type

The applicant will identify the type of access permit requested for the subject site for which the property abuts the State Highway. The applicant may request a grant of access permit for direct or indirect access to the state highway system. A temporary access permit may be requested alone or in conjunction with a grant of access permit for a site. The grant of access permit may cover multiple driveways or connections serving a site under the application.

E. Permit Level Determination

The level of application required is based upon the size and magnitude of the proposed project applying for a permit. Threshold criteria for different levels of projects have been developed to avoid placing an undue burden on applicants with small projects, while ensuring that large projects with significant impacts are thoroughly evaluated.

Four (4) application levels have been developed based on site-generated traffic of peak hour and or daily volumes. Each level defines specific threshold elements related to required applicant site plan elements, permitting process, permitting schedule, applicant fees, traffic study requirements, and other permit related issues. The information and level of detail required to review an application will vary according to the type and usage of the access connection requested and will be determined based on the thresholds outlines in, Table 2-2: Guidelines for Grant of Access Permit Levels.

F. Traffic Impact Study Determination

A Traffic Impact Study (TIS) is required for all access permit applications. The purpose of the traffic impact study is to identify system and immediate area impacts associated with the proposed connection(s). Identification of impacts and appropriate mitigation measures allows the Department to assess the existing and future system safety, performance, maintenance and capacity needs.

See **Section 2.9, Traffic Impact Study**, for more information on the preparation of a traffic Study for access permit review.

Table 2-2: Guidelines for Grant of Access Permit Levels

Permit Type App. Level	Thresholds	Typical Land Use Intensity Thresholds (ITE Trip Generation)		Traffic Impact Study Required
I	Projected site traffic < 100 ADT **and** No proposed modifications to traffic signals or elements of the roadway	Single Family Apartment Lodging General Office Retail	< 10 units < 15 units < 11 occupied rooms < 9,000 square feet < 2,500 square feet	YES Limited Scope
II	Projected site traffic between 100 and 3,000 ADT **or** Projected peak hour traffic < 500 **and** Minor modifications to traffic signals or elements of the roadway	Single Family Apartment Lodging General Office Retail Gas Station Fast Food Restaurant	10 to 315 units 15 to 450 units 11 to 330 occupied rooms 9,000 to 270,000 sq. ft. 2,500 to 70,000 sq. ft. 1 to 18 fueling positions 1,000 to 6, 000 sq. ft. 1,000 to 26,000 sq. ft.	YES
III	Projected site traffic between 3,000 and 10,000 ADT **or** Projected peak hour traffic between 500 and 1,200 **or** Proposed installation or modification to traffic signals or elements of the roadway, regardless of project size	Single Family Apartment Lodging General Office Retail Fast Food	315 to 1,000 units 450 to 1,500 units 330 to 1,100 occupied rooms 270,000 to 900,000 sq. ft. 70,000 to 230,000 sq. ft. 6,000 to 20, 000 sq. ft.	YES
IV	Projected site traffic > 10,000 ADT **or** Proposed installation /modification of two or more traffic signals, addition of travel lanes to State Highway or proposed modification of freeway interchange, regardless of project size	Single Family Apartment Lodging General Office Retail	> 1,000 units > 1,500 units > 1,100 occupied rooms > 900,000 square feet > 230,000 square feet	YES

G. Request for Variance from Standard

Application preparation may also include seeking an access variance that allows the applicant to depart from the standards and requirements of the Manual. A variance from the spacing standards can only be sought if the subject property and proposed access points can not achieve the minimum spacing standards under the appropriate access category and no other reasonable access can be afforded the site. Once prepared, the request for relief is submitted to the appropriate Region office of the Utah Department of Transportation where access application processing takes place.

- In no event shall an access permit be granted or authorized if, in the Department's determination, its continued use and operation poses a hazard to public mobility, health, safety, and welfare.

- A request to breach an established line of Limited Access or No Access shall be treated as a Request for Variance from Standard for a permit application.

Except as provided in the **Section 2.10, Variance Request Procedures**, when the applicant is requesting a variance from the standards set forth in the Manual, the request shall be submitted as an attachment to the application. Variance from a design standard may be considered by the Department, in accordance with the provisions and procedures defined in **Section 2.10, Variance Request Procedures.**

The Variance request initiates a process of review whereby the substandard traffic engineering circumstances allow for either improvements to, and no negative impact of, traffic flow in terms of safety, capacity, and speed which results from the granting of an access permit that otherwise does not meet access standards described in the Manual.

Approval for a Request of Variance from Standard is issued at the appropriate UDOT Region by the UDOT Region Permit Officer.

II SUBMIT APPLICATION FOR REVIEW

Once the appropriate application level has been determined, the access permit application together with any required attachments reasonably necessary to review and assess the application and complete the permit shall be completed by the applicant. If a pre-application conference was held, the application will consist of the attachments requested at the pre-application conference. Attachments may include plans, maps, traffic studies, surveys, deeds, agreements, documents, data, and location of any significant utilities to be moved. The application level will determine the scope of the attachments necessary.

All submitted applications become the property of the Department. Items without relevance to the approval or denial of the application or completion of the permit will not be requested. If the applicant is other than the fee surface rights owner of the property to be served, then the applicant shall include sufficient evidence of concurrence or knowledge in the application by the fee surface rights owner and proof of development rights, (i.e. option to buy, federal use permit). Complete name, address and telephone number of the property owner(s), the applicant(s), and primary contact person, shall be given on the application along with the expected dates of construction and commencement of use of the access. When the owner or applicant is a company, corporation or government agency, the office, title and the name of the responsible officer shall be provided. A corporation shall be licensed to do business in the State of Utah. Intentional misrepresentation of existing or future conditions or of information requested for the application for the purposes of getting a more favorable determination, is sufficient grounds for application rejection, permit denial or revocation of a granted access permit.

A. Application Completeness Check

Persons seeking a grant of access permit shall submit one (1) complete application with attachments to the Region Permits Officer at the appropriate Department Region Office. The Region Permits Officer shall be the primary contact for the applicant with the Department throughout the process. Inquiries regarding a permit application submitted by the applicant or their representatives, should be directed to the Region Permit Officer.

The application and completeness review period begins upon dated receipt of an access application including the completed application form and any necessary attachments (Variance Request or Traffic Impact Study) by the Region Permits Officer as indicated in

Table 2-2.

Table 2-2: Application and Completeness Review Periods

Permit Application Level	Completeness Review Period (working days)	Application Review Period (working days)
I, II, III, IV	10	45

The Region Permits Officer shall date and initial or stamp the original application form with the date of receipt. An application is presumed to be considered complete unless the Region Permit Officer determines it is not and provides that determination in writing. If an application is determined to be incomplete the review period ends.

The Region Permits Officer will promptly transmit written notice to the applicant if the application is not complete and insufficient for review. The notice will include any outstanding items, issues or concerns, given the available information. Failure of the Department to comply with the preliminary review periods does not preclude the Department from approval or denial of any application.

Upon receipt of the Department's letter requesting more information, the applicant may provide additional data and information as appropriate, or withdraw the application. If the applicant provides additional information as requested, the application completeness review period starts over. If the applicant withdraws the application, then later resubmits an amended application, the same procedures that govern an initial submit of an application shall apply.

B. Formal Application Review

Once the application has been identified as complete and the applicant has been notified the application is complete and contains the required attachments, the Region Permits Officer shall begin processing the application. The review period is forty-five (45) working days for an accepted application. The formal review will be conducted pertaining to information as submitted with the application. The Region Permits Officer may involve other Department Region or Headquarters Staff in the review and/or all aspects of the application and attachments. The Department shall use the Manual, and any other applicable state and federal laws, policies or guidelines for evaluating and acting on the application and the appropriate attachments.

Subsequent to the completeness review period, if necessary information is later determined to be incomplete or missing, the Formal Application Review will cease and the Department will promptly transmit written notice to the applicant requesting the necessary information if the Department determines that it is in the public interest to do so. Upon receipt of the Department's letter requesting more information, the applicant may provide additional data and information as appropriate, or withdraw the application. If the applicant provides additional information as requested, the Formal Application Review period starts over.

III Permit Review

A. Approve / Deny Access Permit

The Department may grant the access as proposed, require layout and location modifications as it considers appropriate, restrict one or more turning movements as necessary to reduce traffic and safety impacts, or deny the access, all as determined by the standards of the Manual and or other acceptable engineering techniques. Any access permit prepared by the Department shall conform to all sections of the Manual unless a request for variance is submitted and approved.

Variance procedures may be considered for any design standard of the Manual that is not applicable or feasible given the proposed physical and/or operational characteristics of the site, in accordance with **Section 2.10 Variance Request Procedures.**

If the proposed access cannot meet the requirements or standards of the Manual including consideration of appropriate variance criteria, or other applicable laws, the application shall be denied. If the Department denies the permit application, the Department shall provide the applicant a copy of the permit application marked "denied" and a written explanation of the decision.

An appeal of the Access Management Rules can only be requested after a Permit Application has been denied by the appropriate UDOT Region or District. **Section 2.12, Permit Appeal Procedure**, provides information concerning the access appeal process. An appeal will involve a hearing of the applicant's case to an internal UDOT access appeals committee and will consider all relevant circumstances including, but not limited to, undue or extreme impacts incurred by the applicant or land use caused by the denial of the access request. Any appeal of Department action shall be made pursuant to and will be governed by right of appeal as presented in the Administrative Code of Utah Appeal Process. Title 42-3-5(b).

If the Department approves the access proposal, a permit will be prepared and transmitted to the applicant for signature. It is the responsibility of the applicant to obtain the signature of the permittee. The permittee shall sign the permit if the terms and conditions are acceptable and return the entire permit to the Department at the address noted. In accepting the permit, the permittee agrees to all terms and conditions of the permit.

The issue date of the grant of access permit is the date the Department representative signed the permit.

B. Permit Fees, Forms and Records

THIS SECTION UNDER DEVELOPMENT.
HOLD UNTIL SATISFACTORY SAMPLE
IS DERIVED FOR DEVELOPMENT OF FEE SCHEDULE

Fee schedule values shown are only implied until verified

The Department shall establish and collect a reasonable schedule of fees for access permits issued pursuant to the Manual. The permit fee schedule shall not exceed the cost of the review and administration of the access permit.

Draft Fee Schedule:

DRAFT Permit Review Fee Schedule	
Permit Application Level	**Proposed Access Permit Review Fee**
1	$100
2	$500
3	$1,500
4	$5,000

The Access Permit Review Fee will be assessed upon submission of the permit application. Failure to provide payment upon submission will nullify the submission.

In addition, the Department may establish a fee schedule to charge hourly and or daily fees for the closure of any travel lanes necessary for the construction of a private access. The purpose of the fee is to encourage the quick completion of all work that may reduce highway capacity or cause safety issues or interfer with the through movement of traffic.

A copy of the permit issued shall be maintained by the Department for as long as the permitted access is in existence pursuant to the permit.

The access permit should be recorded to the property deed. The permittee has the responsibility of recording the access permit to the property deed.

C. Permit Acceptance / Expired

A permit shall be considered expired if the access is not constructed within six months of the permit issue date or before the expiration of any authorized extension. When the permittee is unable to commence construction within six months after the permit issue date, the permittee may request a six month extension from the Department. No more than one six month extension shall be granted under any circumstances. If the access is not under construction within one year from date of issue, the permit will be considered expired. Any request for an extension shall be in writing and submitted to the Department before the permit expires. The request should state the reason why the extension is necessary, when construction is anticipated, and include a copy the access permit. Extension approvals shall be in writing. Any person wishing to reestablish an access permit that has expired shall initiate the permit process anew.

If the Department has not received or hold the signed copy of the permit and fee payment, from the applicant within 45 days of the date of approval transmittal, the permit shall be deemed withdrawn and void. If the permittee does not agree to all the terms and conditions of an approved permit, the permit shall then be considered and marked denied.

When the Manual or related official forms require the signature of the permittee(s) or applicant, such signatures shall be that of the specific individual, or if a corporation or partnership or other entity, the duly authorized officer or agent of the corporation or partnership or other entity. The name of the corporation, partnership or entity shall be included with the signature.

The granting of an access permit conveys no rights, title or interest in State Highway rights-of-way to the permit holder or property served. A permit for direct access to a State Highway does not entitle the permit holder to control or have any rights or interests in any portion of the design, specifications or operation of the highway or roadway, including those portions of the highway built pursuant to the terms and conditions of the permit.

For any permit involving change in the roadway or structures, the Department may require the permittee to hire a licensed Professional Engineer in the State of Utah to inspect the access carefully and to affirm to the best of their knowledge and belief that the construction is in compliance with the permit, Department specifications, materials construction monitoring and testing, and to report any item which may not be in compliance or cannot be determined to be in compliance, and the nature and scope of the item relative to compliance. The Department may require testing of materials. When so required, test results shall be provided to the Department or an agency as specified on the permit.

2.6 General Permit Issues

A. Right-of-Way Acquisition

The right-of-way necessary for State Highway roadway improvements including travel lanes and auxiliary lanes shall be conveyed without cost to the Department by dedication, or by a warranty deed or permanent easement. Unless otherwise determined by the Department, other non-roadway appurtenances such as curbs, sidewalks, shoulders, bike lanes, bike paths, drainage structures, ditches, landscaping, utilities, and traffic control devices, which are beyond the edge of the roadway, may be on permanent easements, or if in public ownership then by agreement, or conveyed without cost to the Department by dedication, or by a warranty deed or permanent easement.

Property required by the Department for permit related highway access improvements shall be as described above. All right, title and interests shall be conveyed. All current title policies shall be provided and be acceptable to the Department. The owner shall certify that the property is clean of contamination or indemnify the Department from any contamination responsibilities prior to conveyance. The Department may refuse to accept any property, including but not limited to that containing or suspected of containing hazardous substances, toxic wastes, or other contamination until such substances are removed and or the property is certified clean by the appropriate governmental entity, and if necessary, the Environmental Protection Agency.

B. Access Requests by Local Authorities

Requests by appropriate local authorities for new access or for the reconstruction of existing access to the State Highway (such as county roads and municipal streets) shall be administered by the Department as provided in **Section 2.3 Permit Types**, or by special written agreement or contract between the Department and the local authority.

The local authority shall be considered the applicant. Access to subdivisions and other developments shall be processed in the same manner as a private access and applied for pursuant to **Section 2.4 Access Permit Process** until the access is constructed, completed, and accepted as a public access and public way by the appropriate local authority.

Where a private development accessing the roadway of an appropriate local authority necessitates access improvements and where the private access should become and operate as a local roadway connecting to a State Highway, the permittee may either be the local jurisdiction, the developer or a combination, at the discretion of the local authority.

A private development may not apply for a private driveway access permit with the appropriate local jurisdiction as the applicant.

C. Modification or Improvement of Access

Modifications to an existing highway access which is either in use or can demonstrate historical use, and does not comply with the provisions of the Manual, may be granted according to the following provisions:

- Upon demonstration by the applicant that the proposed access point(s) will improve the operation or safety of the highway. Consolidation of access points is encouraged and shall be defined as a benefit to the highway for application of this rule. Where there are multiple accesses serving the site, a 50% reduction (rounded up for odd numbers) shall be sufficient.

- If the above cannot be demonstrated, then the Department may require closure of those accesses to the State Highway which are in excess of those allowed for undeveloped properties according to the criteria of the Manual.

- The applicant may be required to comply with the requirements of the local jurisdiction and the Manual, pertaining to public improvements, auxiliary lanes, and other access design criteria to the extent possible in order to maintain safe operations of the roadway system in accordance with the needs of the access category.

Vehicular use and operation of local roads where they connect to (access) a State Highway is the responsibility of the appropriate local authority. The local authority should maintain such State Highway access locations in conformance with the Manual to the extent feasible and practicable within statutory and public funding limitations. The local authority may fund any necessary improvements by obtaining contributions from the primary users of the access or as off-site subdivision improvements necessary for the public safety.

The Department may, when necessary for the improved safety and operation of the roadway, rebuild, modify, remove, or relocate any access, or redesign the highway including any auxiliary lane and allowable turning movement. The permittee and or current property owner will be notified of the change. Changes in roadway median design that may affect turning movements normally will not require a license modification hearing as an access permit confers no private rights to the permittee regarding the control of

highway design or traffic operation even when that design affects access turning movements.

The property owner or authorized representative served by a lawful access may make physical improvements to an access with the permission of the Department. The applicant shall make the request on standard permit application forms and may specify that the request is for improvements according to this subsection. This subsection does not apply when there is or will be a change in historical grand-fathered use or access use. Processing of the application shall be the same as provided in Manual except the Department may only take action on the request for improvement. Denial of the application for improvements does not constitute revocation of the existing access authorization. If approved for improvements, the permit need not require full Manual design compliance, so long as access is improved above current conditions and there is no deterioration in safety or operation of the highway. Denial of an application to enlarge, relocate, or modify an existing lawful access shall in no way impair the permit for or right to the existing access for its legal historical use.

D. Maintenance and Permit Transfer

The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. The permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. Within incorporated areas, drainage responsibilities for municipalities are determined by statute and local ordinance. The Department may maintain the roadway including auxiliary lanes and shoulders, except in those cases where the access installation has failed due to improper access construction and/or failure to follow permit requirements and specifications in which case the permittee shall be responsible for such repair. Any significant repairs such as culvert replacement, resurfacing, or changes in design or specifications, requires authorization from the Department.

E. Signal Control Plan

The Department may, at its discretion, initiate and develop a signal control plan for designated portions of a State Highway. A signal control plan provides the local authority and the Department with a comprehensive action plan for identification of signal locations along a corridor or segment of the corridor. The purpose of a signal control plan is to provide for efficiency of signal progression and corridor functionality.

All traffic control devices or modifications shall meet the requirements of the MUTCD as required by state and federal statutes. To the extent practical the signal control plan shall meet the functional characteristics and design standards of the assigned access category and conform to all standards and specifications in the Manual. All existing and future signal placements shall also conform to the requirements of the Department as indicated by the Department Traffic and Safety division.

The signal control plan should achieve the optimum balance between state and local

transportation planning objectives, and preserve and support the current and future functional integrity of the highway.

The signal control plan shall indicate the location of existing and future signalized locations. Locations of signals that are intended to be modified, relocated, removed, or added are to be identified. Access ways that need to be consolidated shall be identified.

At least one advertized public meeting shall be held during the development phase of the signal control plan. All property owners of record abutting the State Highway within the plan limits shall be notified by the Department or the appropriate local authority of the proposed plan and afforded the opportunity to submit any information, data and agreements regarding the proposed plan.

The signal control plan must receive the approval of both the Department and the appropriate local authority to become effective. This approval shall be in the form of a formal written agreement signed by the local authority and the Region Director of the Department. Where a signal control plan is in effect, all action taken in regard to access shall be in conformance with the plan and current Manual design standards unless both the Department and the local authority approve a geometric design waiver under the waiver subsection of the Manual.

F. Corridor Access Control Plans

The Department or the appropriate local authority may, at its discretion, initiate and develop a corridor access control plan for a designated portion of a State Highway. An access control plan provides the appropriate local authority and the Department with a comprehensive roadway access design plan for a designated portion of State Highway for the purpose of bringing that portion of highway into conformance with the assigned access category and functional needs to the extent feasible given existing conditions. The corridor access control plan should achieve the optimum balance between state and local transportation planning objectives, and preserve and support the current and future functional integrity of the highway.

The corridor access control plan shall indicate existing and future access locations and all access related roadway access design elements, including traffic signals, that are to be modified and reconstructed, relocated, removed, added, or remain. The plan shall not preclude the current or future accommodation of other transportation modes of bicycles, pedestrian and transit.

All traffic control devices or modifications shall meet the requirements of the MUTCD as required by state and federal statutes. To the extent practical the corridor access control plan shall meet the functional characteristics and design standards of the assigned category and conform to all standards and specifications in the Manual.

At least one advertized public meeting shall be held during the development phase of the corridor access control plan. All property owners of record abutting the State Highway within the plan limits shall be notified by the Department or the appropriate local authority of the proposed plan and afforded the opportunity to submit any information, data and agreements regarding the proposed plan.

The corridor access control plan shall receive the approval of both the Department and the appropriate local authority to become effective. This approval shall be in the form of a formal written agreement signed by the local authority and the Region Director of the Department. After an access control plan is in effect, modifications to the plan shall receive the approval of the local authority and the Department. Where an access control plan is in effect, all action taken in regard to access shall be in conformance with the plan and current Manual design standards unless both the Department and the local authority approve a geometric design waiver under the waiver subsection of the Manual.

G. Department And Local Government Highway Construction Projects

When in the course of State highway improvement it is necessary to reconstruct, improve, relocate, close or bring into conformance with the Manual an existing access or accesses, the Department will initiate the appropriate procedures, permits and agreements. Written concurrence by the appropriate local authority in the design plans illustrating access changes or by correspondence will constitute concurrence.

An access may not be upgraded to serve a greater purpose unless such improvement is allowed by an appropriate permit. The cost of any upgrade shall be at the expense of the property owner if necessitated by changes or anticipated changes in the use of the property.

A public highway reconstruction project is not required to bring legal access into full compliance with current Manual standards, but only to the extent reasonable within the limitations and scope of the project, consistent design parameters, and available public funds.

Where there are multiple accesses to the same ownership, public highway reconstruction may result in the combining and reduction of the number of accesses or modification of access size and design in order to meet necessary design and safety standards. The appropriate local authority may exercise its own legal authorities, resolutions and ordinances, to reduce the number of accesses to an ownership. Such local authority does not extend to the opening of new access to State Highways except as allowed by state law and the procedures described herein.

Temporary access within a highway project construction zone for highway construction activity is permissible. The location and duration of any temporary access shall be noted on the construction and traffic control plan. A permit is required for any new access location that provides access to the traveled portion of the roadway. The duration, design, use and traffic controls of the access shall be detailed in the permit and on the project's traffic control plan.

Under no circumstances shall the construction or reconstruction of a private driveway by a private interest interfere with the completion of a public highway construction project. The private interest shall coordinate work with Department project engineer for the project.

2.7 Construction of Access

A construction permit is required for any work activity that occurs within the State highway right-of-way.

Construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee except as provided in **Section 2.7C, Traffic Control Installation**. All materials used in the construction of the access within the highway right-of-way or on permanent easements, become public property. Any materials removed from the highway right-of-way will be disposed of only as directed by the Department. All fencing, guard rail, traffic control devices and other equipment and materials removed in the course of access construction shall be given to the Department unless otherwise instructed by the permit or the Department inspector.

All construction drawings shall be completed to the detail necessary to ensure that the construction of the access will be in compliance with the permit terms and conditions, including materials specifications.

The Department may restrict work on or immediately adjacent to the highway, control lane closure periods and require pre-approval of all aspects of construction phasing. Every effort shall be made to minimize the closure periods of any travel lanes. Work in the right-of-way will normally not be allowed on holidays, at night, during peak traffic hours, and during adverse weather conditions. The Department may establish a fee schedule to charge an hourly and or daily fees for the closure of any travel lanes necessary for the construction of a pubic or private access.

The Department may inspect the access during construction and upon completion of the access to ensure that all terms and conditions of the permit are met. Inspectors are authorized to enforce the conditions of the permit during construction and to halt any activities within state right-of-way that do not comply with the provisions of the permit, that conflict with concurrent highway construction or maintenance work, that endanger highway property, natural or cultural resources protected by law, or the health and safety of workers or the public.

The permittee should arrange for access construction to be done by qualified contractors. Work shall be accomplished under Department inspection and shall meet all Department specifications.

A. Surety Bond for Construction of Access

Unless otherwise provided by prior written agreement, where access improvements require the reconstruction of an existing roadway open to travel, the permittee or permittee's contractor is required to post a bond, establish an escrow account, or in some other manner provide security to insure completion of the work within the highway. The security shall be sufficient to cover any repair or reconstruction of the access work area to a standard comparable with conditions prior to the initiation of access construction and to the extent necessary to ensure public safety as determined by the Department for a period of three (3) years after completion of the work. Where extensive reconstruction of the highway is necessary the Department may require the use of a Department pre-qualified contractor. The Department may proceed against said bond to recover all expenses incurred by the Department, their employees or representatives in the sections of roadway interfered with by the permittee to restore to Department standards. These expenses refer to all expenses incurred in the repairing of portions of the roadway determined by UDOT inspectors to be inadequately restored or maintained by the

contractor. The liability of the permittee or contractor shall not be limited to the amount of the bond. The permittee or contractor shall protect and indemnify and save harmless the Department for any and all claims including claims from third parties for damage caused by construction or use of the facility, and from all costs and expenses, including attorney's fees.

B. Phased Construction of Access

Upon request, the phasing of the installation of access design requirements may be allowed if the average use of the access at any time does not exceed the constructed design and the Department or local authority is provided monetary or legal guarantees that access permit terms and conditions will be met prior to any use of the access exceeding the existing design of the access.

The following items may be used in this regard: posting a bond, irrevocable letter of credit, certificates of deposit, inclusion in zoning ordinance, inclusion in subdivision plats or land use permit requirements, inclusion in the deeds to the properties involved and any other techniques as approved and accepted by the Department. All such arrangements shall be included as terms and conditions of the permit. The local authority or Department may record notices in the county records of such agreements to inform future property owners of potential liabilities and responsibilities. If the project is to be phased over time, the schedule, location and other details of each phase shall be provided by the permittee.

C. Traffic Control Installation

The Department at its discretion, may complete the installation of permanent traffic control devices. The permittee shall pay for direct costs and labor provided by the Department for the installation and relocation of all traffic control devices within public right-of-way directly related to the use or construction of the permitted access. Failure of the permittee to pay within a reasonable period may be considered grounds for permit suspension which may lead to revocation and access removal.

Prior to using the access, the permittee is required to complete the construction according to the terms and conditions of the permit. Failure by the permittee to abide by all permit terms and conditions shall be sufficient cause for the Department to initiate action to suspend or revoke the permit and close the access. If in the determination of the Department the failure to comply with or complete the construction requirements of the permit create a highway safety hazard, such shall be sufficient cause for the summary suspension of the permit. If the permittee wishes to use the access prior to completion, arrangements shall be approved by the Department and included in the permit, under “approval with condition”. The Department may order a halt to any unauthorized use of the access pursuant to statutory and regulatory powers. Reconstruction or improvement of the access may be required when the permittee has failed to meet required specifications of design or materials.

The permittee shall provide appropriate construction traffic control devices at all times during access construction, in conformance with the MUTCD and UDOT Standard Drawings for Traffic Control.

D. Need For Utility Permit

A utility permit shall be obtained for any utility work within highway right-of-way. Where necessary to remove, relocate, or repair a traffic control device or public or private utilities for the construction of a permitted access, the relocation, removal or repair shall be accomplished by the permittee without cost to the Department, and at the direction of the Department or utility company. Any damage to the State Highway or other public right-of-way beyond that which is allowed in the permit shall be repaired immediately. The permittee is responsible for the repair of any utility damaged in the course of access construction, reconstruction or repair.

The permittee shall ensure that a copy of the permit is available for review at the construction site at all times. The permit may require the contractor to notify the individual or office specified on the permit at any specified phases in construction to allow the field inspector to inspect various aspects of construction such as concrete forms, subbase, base course compaction, and materials specifications. Minor changes and additions may be ordered by the Department field inspector to meet unanticipated site conditions. The Department may require the permittee to hire a licensed Professional Engineer in the State of Utah to affirm to the best of the engineer's knowledge and belief that the construction is in substantial compliance with the permit and specifications. The Department shall require testing of materials at the permittee's expense. When so required, test results shall be provided to the Department.

2.8 Access Violations

The Department may install barriers across, or remove, any access which is determined by the Department to be illegal. Costs incurred by the Department to install barriers or remove access shall be reimbursed by the permittee before the access is restored. The appropriate permit fee shall be assessed if a permit application review is to be initiated.

A. Permitted Violation

When an access is constructed or used in violation of the Manual, the Department may summarily suspend an access permit and immediately order closure of the access. Costs incurred by the Department in closing an access shall be reimbursed by the permittee.

B. Non-Permitted Violation

When an access is constructed without prior grant of access, the Department shall impose a fine. A fine of one hundred dollars ($100) per day is invoked. The Department shall order immediate closure of the access. Costs incurred by the Department in closing an access shall be reimbursed by the offender.

2.9 Traffic Impact Studies

A. Need for Traffic Impact Study

A traffic study is necessary to identify and review , and make recommendations for mitigation, the potential impacts a development may have on the roadway system. Physical characteristics and operational characteristics of the roadway are typically identified. The

Region Permits Officer and/or Region Traffic Engineer determines the need for a traffic impact study.

An applicant may be required to submit a traffic study for any proposed access or connection within an area identified by the Department. Area definition may be defined by, but not limited to, an identified safety problem, accident review, congested locations, or as a result of a change in land use and/or access in accordance with an access permit application. The study area may also be defined by the market area of influence, travel time boundary or physical or political boundaries.

B. Purpose of the Traffic Impact Study

Traffic Impact Studies (TIS) are intended to:

- Document whether or not the access request can meet the standards and requirements of the Manual and other applicable regulations.
- Analyze appropriate location, spacing, and design of the access connection(s) necessary to mitigate the traffic and operational impacts on the highway and permissible under the highway's assigned access category and in accordance with applicable requirements and standards of the Manual.
- Recommend the need for any improvements to the adjacent and nearby roadway system to maintain a satisfactory level of service and safety and to protect the function of the highway system while providing appropriate and necessary access to the proposed development.
- Assure that the internal traffic circulation of the proposed development is designed to provide safe and efficient access to and from the adjacent and nearby roadway system consistent with the purpose of the Manual.
- Analyze and recommend the means for land uses to minimize their external transportation costs to the traveling public through traffic improvements necessitated by that development as well as making the fullest use of alternative travel modes.

C. Traffic Impact Study Requirements

A Traffic Impact Study (TIS) is required for all access permit applications and the study shall be prepared according to the Department Traffic Impact Study Requirements. The appropriate Region Traffic Engineer, in consultation with the permit applicant, will determine the traffic study area limits.

The Region Traffic Engineer or proxy will make final determination of the extent of the study area. The study area, depending on the size and intensity of the development and surrounding development, may be identified by the extent of market area influence, or reasonable travel time boundary. An acceptable travel time boundary may be identified by a ten or twenty minute travel time area or even by market area influence.

The TIS shall, at a minimum, incorporate traffic engineering principles and the standards as presented in this Manual. Additional requirements and investigation may be imposed upon the applicant as necessary.

Likely information presented in the TIS may include, but is not limited to; site location with proposed access point(s), phased and/or full development trip generation, connection

point design characteristics, adjacent and relevant development, existing and future traffic volumes, an assessment of the system impacts, and mitigation measures as appropriate.

The applicant will be responsible for performance and delivery of an acceptable traffic impact study. An acceptable TIS should be performed by an individual or entity demonstrating capability to analyze and report mobility, traffic engineering elements and design elements as necessary for the application study area and site design.

2.10 Variance Request Procedures

An access variance grants permission to depart from the standards and requirements of the Manual for the purpose of review of the permit application.

Applicants seeking a variance from the standards and requirements of the Manual shall submit the request as an attachment to the formal permit application. A subsequent request for a variance may be allowed, in accordance to the completeness check review procedure as a supplement to a previously submitted application if the Department determines that it is in the public interest to do so. All requests for variance shall be reviewed by the Region Permit Officer and Region Traffic Engineer.

The request for a variance shall specify, in writing, why the variance is appropriate and necessary. The request shall include documentation of conditions with and without the variance with the documentation showing that the applicant has considered all practical and reasonable mitigation alternatives. The variance request shall result from the application of the standard or requirement of the Manual, shall be suffered directly and solely by the applicant, and shall not be self-created or self-imposed such as by the applicant acting with or without knowledge of the applicable standard or requirement. A variance will not be granted for procedural requirements.

The applicant shall be responsible to show that the variance request meets minimum acceptable engineering, operation, and safety standards, and the variance is not detrimental to the public health, welfare, and safety, and the variance is reasonably necessary for the convenience and welfare of the public.

The Region Traffic Engineer shall consider factors cited in **Section 2**, and shall ensure that granting a request for variance is consistent with the purposes of the Manual cited in **Section 1**. The Region Traffic Engineer shall consider specific factors in determining that the granting of a variance shall not negatively impact the current and proposed operation of the highway:

- The applicant has considered all other feasible alternatives to provide reasonable access to the land use or development and can demonstrate that better alternatives in terms of highway operations are not feasible or do not exist,
- The applicant has considered access through a shared use driveway or access point with an adjacent land use and such a shared use access is not feasible,
- The applicant is providing on-site or off-site traffic improvements that might off-set the negative impacts of granting an access that does not meet standards,
- The applicant has considered and maximized trip reduction strategies that allow the access to properly function without creating a negative impact to the highway,
- The applicant has provided traffic engineering or other studies to determine that the

access will not degrade the efficient flow of traffic on the highway in terms of safety, capacity, travel speed, and other functional features of the highway.

The review and final action of whether to approve or disapprove the variance shall be completed within forty-five (45) days of the date of acceptance of the request for variance application.

If a variance is granted, the documentation of the reason(s) for approving the variance shall be included in the Department files and records pertaining to the permit. The terms and conditions of the approved permit and variance shall state that the permittee may be required to improve, modify, eliminate, or correct the condition responsible for the variance when it is evident that the justification for the variance is no longer valid.

If a variance is approved, allowing direct access to a State Highway when the access proposal cannot meet the standards of the Manual, or when the property would otherwise be without reasonable alternative access, the permit may stipulate conditions and terms for the expiration of the permit when the necessity for the variance no longer exists.

If a variance is denied, after complete review of the access permit application, the applicant may initiate an appeal. An appeal process will be governed by right of appeal as presented in the Administrative Code of Utah Appeal Process. Title 42-3-5(b).

2.11 Request to Breach an Established Line of Limited Access or No Access

Lines adjacent to the State Highway right-of-way have been established to limit access or control access. These limitations are known as Limited Access and No Access lines. The purpose of the lines are to preserve the functionality, operation, safety and capacity of the highway system. The lines are created through the purchase of access rights where it has been determined that they would serve best at time of purchase. The purchase of the access rights may have occurred utilizing federal, State or combination of federal and State funds. Any breach of the Limited Access or No Access lines require reimbursement, at fair market value, of these funds by the permittee.

A request for breach of Limited Access Line or No Access line is made by permit application signified as a request for variance from standard and further signified by request to breach an established line of Limited Access or No Access. Demonstration of no reasonable access shall also be included with application.

- Limited Access line breach may be allowed for a single parcel or collection of parcels where no other reasonable access can be afforded. Preferred breach of a Limited Access line should be to afford a general or local street connection where no other reasonable access can be afforded.

- No Access line breach request is allowed only for a general or local street connection as brought forth by a local municipal agency where no other reasonable access can be afforded.

- Where a limited access or no access line occurs and a break of the line is granted for an access, the applicant and or permittee shall be responsible for the costs incurred for reimbursement, at fair market value, in relation to the line break or modification.

The applicant or local municipal agency that requests the breach of Limited Access or No Access line must produce a signal control plan agreement or corridor access control plan. If no such agreement exists the applicant shall provide or perform an analysis which drafts and leads to the establishment of a signal control plan or corridor access control plan. The agreements shall be ratified by the Department and local municipal entities. Signal control and corridor access control plans shall be recognized elements of the local entity Transportation Master Plan. Where appropriate, such plans shall also conform to the planning of and be ratified by the Metropolitan Planning Organization.

A review process will determine whether an established line of Limited Access or No access exists in relation to or adjacent to the area in which access is sought.

Any request for breach of established Limited Access or No Access line shall conform to the procedures and standards of this Manual.

Any approved request for line breach shall be handled by the appropriate Region or District Permit Officer and attending Department staff. Involvement by the appropriate Region Director and Department Headquarter employees shall also be sought.

Review of the request shall include appropriate local Federal Highway Administration personnel.

The procedure for establishment of the reimburse fund amount to be associated to a line breach is listed in the Department Right-of-Way Manual of Instruction.

The Department Deputy Director shall, upon recommendation of Department staff, approve or deny the grant of access request for breach of established line of Limited Access or No Access. Written notification of approval or denial, with justification, will be forwarded to the applicant.

Upon a grant of an access which has breached an established line of Limited Access or No Access, the applicant shall be responsible for all permit fees and reimbursement funds paid prior to acceptance of the grant of access permit. The grant of access shall be recorded on the property deed indicating a breach of access for either a Limited Access Line or No Access Line. The permittee shall have the responsibility of recording the grant of access permit to the deed.

Applicant is entitled to an appeal of decision regarding denial of access request for breach of established line of Limited Access or No Access. The appeal is an informal proceeding under the Utah Administrative Procedures Act, chapter 46b, title 63, Utah Code Annotated. An appeal committee will convene consisting of, but not limited to, the Department Director, Department Operations Manager, Right-of-Way Director and appropriate Federal Highway Administration representative.

2.12 Permit Appeal Procedure

Following processing, the applicant may seek an appeal based on a denial of a permit or variance or to dispute a condition of the permit

Should the permittee or applicant object to the denial of a permit or variance application by the Department or object to any of the terms or conditions of a permit placed there by the Department, the applicant and permittee (appellant) may appeal the decision to an appeals committee. The appeal is an informal proceeding under the Utah Administrative Procedures Act, chapter 46b, title 63, Utah Code Annotated.

To appeal a decision, the permittee or applicant shall submit a notice of agency appeal to the Statewide Permit Officer within 30 days of transmittal of notice of denial or transmittal of the permit for signature. The notice of agency appeal shall include reasons for the appeal and may include changes, revisions, or conditions that would be acceptable to the permittee or applicant.

Upon receiving the notice of agency appeal, the Statewide Permit Officer shall consider any objections and/or requested revisions and discuss these issues with the appellant. Based on this review, the Statewide Permit Officer may remand the issue of appeal back to the Region Permit Officer for further consideration. If agreement is reached, the Region Permit Officer may revise the permit accordingly, or issue a new permit, or require the applicant to submit a new application for the Department's reconsideration. Changes in the original application, design or access use will normally require submit of a new application.

If the appeal is not remanded back to the Region Permit Officer and does not reverse the denial, the Statewide Permit Officer shall notify the appropriate Region Appeal Committee members. The Statewide Permit Officer shall schedule the appeal meeting based upon the schedule of committee members, the convenience of the applicant, and the availability of the Department representatives.

The Statewide Permit Officer shall provide notice of the meeting to all parties. The Statewide Permit Officer will notify the appellant and the Region at least ten (10) working days in advance of the Committee meeting unless waived by both parties.

The Committee will normally consider each request within thirty (30) calendar days of receipt of the appeals request by the Statewide Permit Officer.

The appellant shall present their issues first at the Committee meeting. The presenters for the appellant shall have authority to represent the appellant. They will have no more than 30 minutes to present. The Department Regional representative will follow, not to exceed 30 minutes to present. The proponent may have a five minute response to the Department presentation. If requested, the Committee chair may extend the allotted times. Following the presentations the Committee may ask questions of any party.

Following the presentations and questions if any, the Committee, in reaching their recommendation, shall consider all information received, the requirements of the Manual, the Statement of Purpose and Intent contained in the Manual, and any relevant Department policies and engineering practices. If the Committee finds there is insufficient information, the Committee may call a continuance to a later date and postpone its recommendation to the Region Director and Statewide Permit Officer. The Committee shall make an initial recommendation which will include the Committee's opinion regarding the facts, and findings. The Committee shall arrive at an initial recommendation prior to beginning a hearing on a new case.

Within ten (10) days, the Statewide Permit Officer shall prepare the Committee's recommendation in writing, and forward the written recommendation to the appellant, Region Director and Region Permit Officer.

Following receipt of the first appeal denial, a second appeal may be requested to the Region Director. Formal written notice by the appellant, of the second appeal, is required. The Region Director will normally consider each request within thirty (30) calendar days of receipt of the second appeal request by the Statewide Permit Officer. The Statewide Permit Officer will notify the appellant and the Region Director at least 10 working days in advance of the second appeal meeting unless waived by both parties. The Region Director may then issue or deny the permit based on the results of the first appeal within ten (10) working days. An appeal can not arrive at the Region Director unless it has been first heard and processed by the Region Appeals Committee. This will be considered the Department's final internal decision regarding the access application. The Statewide Permit Officer shall keep a separate record of all recommendations and decisions.

The Department's final internal decision shall include language informing the permittee or applicant that judicial review is available via Utah Code Annotated chapter 46b, title 63, section 15 and that a petition for review must be filed with the district court within thirty (30) days.

In conjunction with the Department staff, interested local governments, and private sector persons, the Department may conduct quality assurance reviews of the access Manual process, services and resources, as the Department may deem appropriate or as requested by the Deputy Director or Region Director.

Regional Access Appeal Committee

The purpose of the Committee is to help ensure the uniform administration of the Manual and to seek resolution of disagreements. Regional Appeals Committee ("Committee"), shall be an appointment of at least three members, for the review of Department access decisions and administration. Committee membership should be comprised of appropriate Department employees from the appropriate Region. Eligible employees should include, Deputy Director, Operations Engineer, Maintenance Engineer, Traffic Engineer, and Right of Way or Encroachment Officer. Appropriate employees from the Department Headquarters may also fill the committee as needed.

Additional Department employees shall be appointed as alternates to serve in the absence of a member, or when, in the opinion of the chairperson, a member may be faced with a conflict of interest. A member may choose to recuse himself/herself from any case review without providing justification. Both alternates shall be Department employees.

The Statewide Permit Officer may assign a Department employee as a non-voting Committee secretary, who may assist the "Committee" in accomplishing the Committee's administrative duties including letters, scheduling, preparation of written materials, distribution, record keeping and related duties, and prepare any materials requested.

3. ACCESS CATEGORIES AND STANDARDS

3.1 Purpose and Use

This section provides a system of nine (9) highway categories to which all sections of State Highways have been assigned. Each category describes the function of the highways including the category and the operational standards that are applied to maintain the highway's function in terms of mobility, capacity, traffic flow, and safety. The number, spacing, type, and location of access and traffic signals have a direct and often significant effect on the capacity, speed, and safety of the highway and are limited in a hierarchical method by this category system. The location, operation and design standards within each category are necessary to ensure that the highway will continue to function at the category assigned.

3.2 General Provisions

A. Parcel Division

No additional access rights shall accrue upon the splitting or dividing of existing parcels of land or contiguous parcels under or previously under the same ownership or controlling interest. All access to newly created properties shall be provided internally from any existing access or a new access determined by Manual design standards or by permit application and consistent with this subsection.

B. Posted Speed

A proposal for access may not presume a lower posted speed or request a lower posted speed to accommodate the access request.

C. Reasonable Access

The minimum number of access locations shall be allowed so that all the establishments may be served.

An existing access, permitted or not, does not guarantee right of or continued access when initiating the access permit process.

If the proposed access will not meet **Section 4** design and spacing standards, the access may be denied if absent the proposed access and the property can have reasonable (indirect) access available to the general street system.

Where a subject property abuts or has primary access to a lesser function road or an internal street system or by way of dedicated rights-of-way or easements, any access to the State Highway shall be considered as an additional access.

A determination of reasonable access from a local street or road should include consideration of the local street or road function, purpose, capacity, operational and safety conditions and opportunities to improve the local street or road. Direct access to the highway may be approved if the alternative local access would create a significant operational or safety problem at the alternative location and the direct access to the State

Highway would not be a significant problem to the highway. Reasonable local access should be determined in consultation with the appropriate local authority.

Shared access of two or more parcels should be considered where a proposed or the redesign of an existing access does not meet spacing standards and criteria for the appropriate access category.

Where proposed or redesigned connections are to be considered and are offset, and not separated by a non-traversable median, every effort should be made to align opposing access points and streets.

When application is made, access to a State Highway for Category 4 through 9, may be granted if reasonable access cannot be obtained from the local street or road system.

Where topography or other existing conditions make spacing intervals of the appropriate Access Category inappropriate or not feasible, location of the access shall be determined with consideration given to topography, established property ownerships, unique physical limitations and or unavoidable or pre-existing historical land use patterns and physical design constraints with a reasonable attempt to achieve the appropriate Access category spacing. A variance would be required pursuant to **Section 2.5, G. Request for Variance from Standard**. The final location shall serve as many properties and interests as possible to reduce the need for additional direct access to the State Highway. In selecting locations, preference shall be given to public ways that meet or may be reasonably expected to meet signal warrants in the foreseeable future.

D. Traffic Signals

Traffic signals and their installation are regulated by the Federal *Manual on Uniform Traffic Control Devices*, (MUTCD). The Department also utilizes guidelines and standard drawings relating to signal design and installation. Nothing in this Manual is intended or shall be interpreted as requiring the Department to authorize a traffic signal or left turn movement at any location.

No traffic signal shall be authorized without the completion of an acceptable analysis of traffic signal system operation, design, construction feasibility, and safety as well as meeting MUTCD signal warrants and all requirements of the Department.

When a traffic signal or operations study is required, the study shall include the information, data and analysis requirements to the extent requested by the Department and be sealed by a licensed Professional Engineer in the State of Utah. The Department may, at its discretion in consideration of granting an access permit, require design and operational modifications as it considers necessary, restrict one or more turning movements, or deny the access so long as such discretion does not violate law.

When an existing or proposed access meets the warrants for a traffic signal as defined in the MUTCD, the Department requirements, and the location does not meet the requirements of the appropriate access category subsection, the access shall be reconstructed to eliminate or reduce the traffic movements that cause the traffic signal warrant to be met, and the access brought into conformance with appropriate design criteria. A raised median may be required. Closure or restriction of movements may be

required if alternative reasonable access is available.

3.3 Roadway Categories

Table 3-1 provides an overview of the Utah State Highway Access Management Categories:

Table 3-1: State Highway Access Management Categories

Category Assignment		Level-of-Importance
1	I	Freeway/Interstate
2	S-R	System Priority Rural
3	S-U	System Priority Urban
4	R-R	Regional Rural
5	R-UF	Regional Urban Fluid
6	R-US	Regional Urban Static
7	C-R	Community Rural
8	C-U	Community Urban
9	O	Other

A. Category 1 (I) - Freeway/Interstate System Facilities

Function

This category is appropriate for use on highways that have the capacity for high speed and relatively high traffic volumes over medium and long distances in an efficient and safe manner. These facilities serve major interstate, intrastate, and inter-regional travel demand for through traffic. In urbanized and metropolitan areas, they may also serve high volumes of intra-city travel at high speeds. All interstate and freeway facilities are included in this category.

Criteria for Granting Access

Direct private access to Category 1 highways is not be permitted.

All private direct access to Category 1 main roadways, access ramps, and structures is strictly prohibited unless specifically authorized for official temporary highway construction purposes under Department contract and must receive approval from the Federal Highway Administration when the Interstate system is involved.

Any new access or modification of existing access to the Interstate system shall meet freeway/interstate design practices and must be approved by the Federal Highway Administration.

All opposing traffic movements shall be separated by physical constraints such as grade separations and non traversable median separators. Public access to a Category 1 highway is provided by means of interchanges properly spaced, located, and designed in accordance with prevailing Department regulations and/or federal regulations applicable to federal-aid highways.

A new interchange or a significant modification to an interchange on a Category 1 highway, requires the preparation of an Interchange Justification/Modification Report which must receive approval by the Federal Highway Administration when the Interstate Highway System is involved.

B. Category 2 (S-R) - System Priority-Rural Importance

Function

This category is appropriate for use on highways that have the capacity for high speed (generally equal to or greater than 60 mph) and relatively high traffic volumes in an efficient and safe manner. These facilities provide for interstate, inter-regional, intra-regional, and intercity travel needs in rural areas. Direct access service to abutting land is subordinate to providing service to through traffic movements.

Criteria for Granting Access

Public access is provided by means of interchanges or public street intersections. Signalized intersections shall be based on minimum one mile spacing. The number and location of access points shall be based on Category 2 State Highway access standards **(this subsection and Section 4)**.

Category 2 highways are designed and intended to achieve a minimum posted speed of 55 mph in areas without signals and 45 mph in areas with signals.

The following criteria shall be determined and included in the permit when direct private access is granted:

A. The access shall be closed when other reasonable access to a lower functional street, road or highway is reasonably available,
B. The access permit shall specify under what circumstances the closure may be required, and,
C. If known, the future access location and the date the closure will occur.

Direct private access granted under this category, shall be for right turns only.

The Department may allow modifications to an existing point of access retained in the deeded rights of property abutting a Category 2 highway, including relocation of the point of access within the limits of the property, if such modification or change would benefit the operation and safety of the highway, or bring the access level of the highway into greater conformance with the Access Management Category, or be in the interest of public health, safety, and welfare.

Signals at intersections with major cross streets or roads of equal importance may be programmed to optimize traffic on both streets equally. Cross-streets of lesser importance

need not be optimized equally. Traffic signals on the highway should be programmed to allow a desirable highway bandwidth of at least 40 percent. The efficiency of the signal system should be analyzed utilizing traffic volume, capacity, and level of service calculations. The analysis shall determine the optimum progression speed under both existing and proposed conditions.

Median Conditions

Left turn movements shall not be permitted if a median is already established and the proposed opening of the median does not provide, in the determination of the Department, any significant operational or safety benefits to the general public or would be counter to the purpose of the median construction and the continued function of the highway at the category assigned to it.

Left turn movement may be permitted if (1) the access does not have potential for signalization, and (2) travel is circuitous in one direction that exceeds two miles, and (3) a left turn movement can be designed to the Department's satisfaction that meets all safety, design and operational standards.

A median opening will not be allowed if a safety or hazard situation is likely or identified. A median opening will not be allowed if the location is within the functional area of an existing or planned interchange, signalized intersection, or major unsignalized intersection.

Auxiliary turn lanes:

Shall be installed according to the criteria in Section 3.7, Auxiliary Turn Lanes.

C. Category 3 (S-U) - System Priority-Urban Importance

Function

This category is appropriate for use on highways that have the capacity for high speed (generally equal to or greater than 50 mph) and relatively high traffic volumes in an efficient and safe manner. These facilities provide for interstate, inter-regional, intra-regional, and intercity travel needs in urban areas. Direct access service to abutting land is subordinate to providing service to through traffic movements.

Criteria for Granting Access

Public access is provided by means of interchanges or public street intersections. Signalized intersections shall be based on minimum half-mile spacing. The number and location of access points shall be based on Category 3 State Highway access standards **(this subsection and Section 4)**.

Category 3 highways are designed and intended to achieve a minimum posted speed equal or greater than 50 mph in areas without signals and 40 in areas with signals.
The following criteria shall be determined and included in the permit when direct private access is granted;

(a) The access shall be closed when other reasonable access to a lower functional street, road or highway is reasonably available,

(b) The access permit shall specify under what circumstances the closure may be required, and,
(c) if known, the future access location, and the date the closure is expected.

Direct private access permitted pursuant to this section shall be for right turns only.

The Department may allow modifications to an existing point of access retained in the deeded rights of property abutting a Category 3 highway, including relocation of the point of access within the limits of the property, if such modification or change would benefit the operation and safety of the highway, or bring the access level of the highway into greater conformance with the Access Management Category, or be in the interest of public health, safety, and welfare.

Signals at intersections with major cross streets or roads of equal importance may be programmed to optimize traffic on both streets equally. Cross-streets of lesser importance need not be optimized equally. Traffic signals on the highway should be programmed to allow a desirable highway bandwidth of at least 40 percent. The efficiency of the signal system should be analyzed utilizing traffic volume, capacity, and level of service calculations. The analysis shall determine the optimum progression speed under both existing and proposed conditions.

Median Conditions

Left turn movement may be permitted if (1) the access does not have potential for signalization, and (2) travel is circuitous in one direction that exceeds two miles, and (3) a left turn movement can be designed to the Department's satisfaction that meets all safety, design and operational standards.

Left turn movements shall not be permitted if a median is already established and the proposed opening of the median does not provide, in the determination of the Department, any significant operational or safety benefits to the general public or would be counter to the purpose of the median construction and the continued function of the highway at the category assigned to it.

A median opening will not be allowed if a safety or hazard situation is likely or identified. A median opening will not be allowed if the location is within the functional area of an existing or planned interchange, signalized intersection, or major unsignalized intersection.

Auxiliary turn lanes

Shall be installed according to the criteria in Section 3.7, Auxiliary Turn Lanes.

D. Category 4 (R-R) - Regional-Rural Importance

Function

This category is appropriate for use on highways that have been designed for moderate to high speeds (generally greater than 50 mph) and relatively high traffic volumes in an efficient and safe manner. These facilities move traffic across multiple communities or jurisdictions, typically connecting facilities of Interstate or system importance in rural areas.

Criteria for Granting Access

When application is made, access to a State Highway may be granted if reasonable access cannot be obtained from the local street or road system. The number and location of access points shall be based on Category 4 State Highway access standards **(this subsection and Section 4)**. Reasonable local access will be determined in consultation with the appropriate local authority. A determination of reasonable access from a local street or road should include consideration of the local street or road function, purpose, capacity, operational and safety conditions and opportunities to improve the local street or road. Direct access to the highway may be approved if the alternative local access would create a significant operational or safety problem at the alternative location and the direct access to the State Highway would not be a significant problem to the highway.

The standard for the spacing of all intersecting public ways and other accesses that are or which may become signalized, is one-half mile.

Where it is not feasible to meet one-half mile spacing and where signal progression analysis indicates good progression (35 percent efficiency or better), or does not degrade the existing signal progression, a full movement intersection may be allowed. A variance and subsequent traffic study would be required pursuant to **Section 2, Variance Procedures and Traffic Impact Study.** Spacing to nearby intersections shall be sufficient to accommodate the future left turn vehicle storage queues for both turning movements. The access location shall also meet other Manual access spacing, design and need requirements.

Median Conditions

If a restrictive median exists, left turns at unsignalized intersections should be restricted, unless the restriction of these movements would cause a safety or operations problem, or cause an out-of-direction movement of greater than one mile. A median opening will not be allowed if a safety or hazard situation is likely or identified. A median opening will not be allowed if the location is within the functional area of an existing or planned interchange, signalized intersection, or major unsignalized intersection. If a flush or traversable median exists, left turns may be permitted unless an operational or safety problem is identified.

Auxiliary turn lanes

Shall be installed according to the criteria in Section 3.7, Auxiliary Turn Lanes.

C. Category 5 (R-UF) - Regional: Urban Fluid Importance

Function

This category is appropriate for use on highways that have the capacity for moderate speed (generally 45 mph) and moderate to high traffic volumes. There is a reasonable balance between safety, direct access and mobility needs within this category. These facilities move traffic across multiple communities or jurisdictions, typically connecting facilities of Interstate or system importance and through urban areas that have significant potential for development or redevelopment of adjacent land to the highest and best use.

Criteria for Granting Access

When application is made, access to a State Highway may be granted if reasonable access cannot be obtained from the local street or road system. The number and location of access points shall be based on Category 5 State Highway access standards **(this subsection and Section 4)**. Reasonable local access will be determined in consultation with the appropriate local authority. A determination of reasonable access from a local street or road shall include consideration of the local street or road function, purpose, capacity, operational and safety conditions and opportunities to improve the local street or road. Direct access to the highway should not be denied if the alternative local access would create a significant operational or safety problem at the alternative location and the direct access to the State Highway would not be a significant problem to the highway.

Additional access may be granted if the size or trip generation potential of the parcel requires additional access to maintain good roadway traffic operations and land use design, unless the access would create a safety or operational problem, or the access does not meet acceptable design standards including spacing. Any additional access shall not interfere with the location, planning, and operation of the general street system and access to nearby properties.

The minimum spacing of all intersecting public ways and other significant accesses that will be full movement is one-half mile.

Where it is not feasible to meet one-half mile spacing and where signal progression analysis indicates good progression (35 percent efficiency or better), or does not degrade the existing signal progression, a full movement intersection may be allowed. A variance and subsequent traffic study would be required pursuant to **Section 2, Variance Procedures and Traffic Impact Study.**. Spacing to nearby intersections shall be sufficient to accommodate the future left turn vehicle storage queues for both turning movements. The access location shall also meet other Manual access spacing, design and need requirements.

Median Conditions

If a restrictive median exists, left turns at unsignalized intersections should be restricted, unless the restriction of these movements would cause a safety or operations problem, or cause an out-of-direction movement of greater than one mile. A median opening will not be allowed if a safety or hazard situation is likely or identified. A median opening will not be allowed if the location is within the functional area of an existing or planned interchange, signalized intersection, or major unsignalized intersection. If a flush or traversable median exists, left turns may be permitted unless an operational or safety problem is identified.

Auxiliary turn lanes

Shall be installed according to the criteria in Section 3.7, Auxiliary Turn Lanes.

D. Category 6 (R-US) - Regional: Urban Static Importance

Function

This category is appropriate for use on highways that have the capacity for moderate to low speeds (generally to a speed range of 35 mph or less) and moderate to high traffic volumes. While this category provides service to through traffic movements, it allows more direct access to occur. These facilities move traffic across multiple communities or jurisdictions, typically connecting facilities of Interstate or system importance but through urban areas that are significantly developed to the point where function (travel speed and capacity) has eroded.

Criteria for Granting Access

When application is made, access to a State Highway may be granted if reasonable access cannot be obtained from the local street or road system. The number and location of access points shall be based on Category 6 State Highway access standards **(this subsection and Section 4)**. Reasonable local access shall be determined in consultation with the appropriate local authority. A determination of reasonable access from a local street or road should include consideration of the local street or road function, purpose, capacity, operational and safety conditions and opportunities to improve the local street or road. Direct access to the highway should be approved if the alternative local access would create a significant operational or safety problem at the alternative location and the direct access to the State Highway would not be a significant problem to the highway.

Additional access may be granted if the size or trip generation potential of the parcel requires additional access to maintain good roadway traffic operations and land use design, unless the Department establishes that the access would create a significant safety or operational problem, or the access does not meet acceptable design standards including spacing. Any additional access shall not interfere with the location, planning, and operation of the general street system and access to nearby properties.

Additional right turn only access may be allowed where required acceleration and deceleration lanes can be provided, would relieve an identified congestion condition on the local street or road system, would not be detrimental to the safety and operation of the highway, and would be in compliance with **Section 4** design standards.

The minimum spacing of all intersecting public ways and other significant accesses that will be full movement intersections is one-half mile.

Where it is not feasible to meet one-half mile spacing and where signal progression analysis indicates good progression (35 percent efficiency or better), or does not degrade the existing signal progression, a full movement intersection may be allowed. A variance and subsequent traffic study would be required pursuant to **Section 2.5, Request for Variance from Standard and Traffic Impact Study.** Spacing to nearby intersections shall be sufficient to accommodate the future year left turn vehicle storage queues for both turning movements. The access location shall also meet other Manual access spacing, design and need requirements.

Median Conditions

If a restrictive median exists, left turns at unsignalized intersections should be restricted, unless the restriction of these movements would cause a safety or operations problem, or cause an out-of-direction movement of greater than one-half mile. A median opening

will not be allowed if a safety or hazard situation is likely or identified. A median opening will not be allowed if the location is within the functional area of an existing or planned interchange, signalized intersection, or major unsignalized intersection. If a flush or traversable median exists, left turns may be permitted unless an operational or safety problem is identified.

Auxiliary turn lanes

Shall be installed according to the criteria in Section 3.7, Auxiliary Turn Lanes.

G. Category 7 (C-R) - Community-Rural Importance

Function

This category is appropriate for use on highways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic but with emphasis on local movements such as those common on small city Main streets.

Criteria for Granting Access

When application is made, access to a State Highway may be granted to the original parcel if it does not create a significant safety problem or significantly degrade operation. The number and location of access points shall be based on Category 7 State Highway access standards **(this subsection and Section 4)**. The access may operate as a full-movement un-signalized access unless there is an established non traversable median, or a safety or traffic operation problem is identified.

Additional access may be granted if the additional access would not knowingly cause an adverse impact to an adjacent property or interfere with the location, planning, and operation of the general street system, and would be in compliance with Manual design standards, and the applicant establishes that an additional access is necessary for the safe and efficient use of the property.

Minimum spacing between traffic signals shall be one-quarter mile or that which is necessary for the safe operation, capacity, and proper design of the signal and adjacent accesses. The location shall be consistent with current signal progression efficiency and cause no degradation to existing operations. Preference in traffic signal location, timing and operation shall be given to highways and cross streets of a higher access category or function.

Median Conditions

If a restrictive median exists, left turns at unsignalized intersections should be restricted, unless the restriction of these movements would cause a safety or operations problem, or cause an out-of-direction movement of greater than one-half mile. A median opening will not be allowed if a safety or hazard situation is likely or identified. A median opening will not be allowed if the location is within the functional area of an existing or planned interchange, signalized intersection, or major unsignalized intersection. If a flush or

traversable median exists, left turns may be permitted unless an operational or safety problem is identified.

Auxiliary turn lanes

Shall be installed according to the criteria in Section 3.7, Auxiliary Turn Lanes.

H. Category 8 (C-U) - Community-Urban Importance

Function

This category is appropriate for use on highways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move traffic through a single community or to an adjacent community but not generally used for long distance (greater than 5 mile) travel.

Criteria for Granting Access

When application is made, access to a State Highway may be granted to the original parcel if it does not create a significant safety problem or significantly degrade operation. The number and location of access points shall be based on Category 8 State Highway access standards **(this subsection and Section 4)**. The access may operate as a full-movement un-signalized access unless there is an established restrictive median, or a safety or operations problem is identified. The location shall also be consistent with current signal progression efficiency and cause no degradation to existing operations.

Additional access may be granted if the additional access would not knowingly cause an adverse impact to an adjacent property or interfere with the location, planning, and operation of the general street system, and would be in compliance with Manual design standards. Additional access will be granted if the size or trip generation potential of the parcel of land requires additional access to maintain good design.

Minimum spacing between traffic signals shall be one-quarter mile or that which is necessary for the safe operation, capacity, and proper design of the signal and adjacent accesses.

The location shall be consistent with current signal progression efficiency and cause no degradation to existing operations. Preference in traffic signal location, timing and operation shall be given to highways and cross streets of a higher access category or function.

Median Conditions

If a restrictive median exists, left turns at unsignalized intersections should be restricted, unless the restriction of these movements would cause a safety or operations problem, or cause an out-of-direction movement of greater than one-half mile. A median opening will not be allowed if a safety or hazard situation is likely or identified. A median opening will not be allowed if the location is within the functional area of an existing or planned interchange, signalized intersection, or major unsignalized intersection. If a flush or

traversable median exists, left turns may be permitted unless an operational or safety problem is identified.

Auxiliary turn lanes

Shall be installed according to the criteria in Section 3.7, Auxiliary Turn Lanes.

I. Category 9 (O) - Other Importance

Function

This category is appropriate for use on frontage roads, back roads, service roads, critical connections of short distance, and other special use facilities.

Criteria for Granting Access

When application is made, access to a State Highway may be granted to the original parcel if it does not create a significant safety problem or significantly degrade operation. The number and location of access points shall be based on Category 9 State Highway access standards **(this subsection and Section 4)**. The access may operate as a full-movement un-signalized access unless there is an established restrictive median, or a safety or operations problem is identified. The location shall also be consistent with current signal progression efficiency and cause no degradation to existing operations.

Additional access may be granted if the additional access would not knowingly cause an adverse impact to an adjacent property or interfere with the location, planning, and operation of the general street system, and would be in compliance with Manual design standards. Additional access will be granted if the size or trip generation potential of the parcel of land requires additional access to maintain good design.

Minimum spacing between traffic signals shall be one-quarter mile or that which is necessary for the safe operation, capacity, and proper design of the signal and adjacent accesses.

The location shall be consistent with current signal progression efficiency and cause no degradation to existing operations. Preference in traffic signal location, timing and operation shall be given to highways and cross streets of a higher access category or function.

Auxiliary turn lanes

Shall be installed according to the criteria in Section 3.7, Auxiliary Turn Lanes.

3.4 Emergency Access

Emergency access may be permitted on State Highway access categories 2 through 9 where required by local safety regulations. Such direct emergency access may be permitted only if it is not feasible to provide the emergency access to a secondary roadway. A written explanation with references to local standards from an appropriate government safety official shall be included with the application. The Emergency Access will not be granted

with the purpose of accommodating general vehicular ingress or egress. The access will typically be gated and locked. Design of the access shall accommodate emergency vehicles necessary to serve the site.

3.5 Farm Access

Farm access may be granted to categories 2 through 9 where, in the determination of the Department, the farm has no other reasonable access. Additional farm access to property under the same ownership or controlling interest may be granted if the necessity for such additional access due to topography or ongoing agricultural activities is demonstrated. Farm access shall be kept to the minimum necessary to provide access service. Farm access should at a minimum meet the access design and safety standards of the Manual. A change in use of the parcel of land serviced by the farm access may require that the farm access be closed. The spacing criteria between accesses contained in the Manual may be waived for farm access. All such farm accesses shall meet the sight distance criteria of the Manual.

3.6 Access Near At-Grade Railroad Crossings

Access near an at-grade railroad crossing shall not be located closer than 250 feet from the crossing. Circumstances may exist where greater spacing is required consistent with the appropriate access category spacing. See Rule 930-5 for more information.

3.7 Auxiliary Turn Lanes

Auxiliary lanes are required as described within each category in **Section 3**. In addition, auxiliary lanes may also be required where any of the following sections require.

- The Department may require an auxiliary lane when it is specifically identified and documented that the lane is necessary to prevent or correct an operational or safety condition.

- If necessary, for specifically identified and documented safety and operation reasons, a left turn acceleration lane may be required when unique location factors such as; highway speed and traffic density, access volume, the volume of commercial trucks, the influence of nearby access, existing highway auxiliary lanes close to the access, nearby traffic control devices, available stopping sight distance, and where other topographic and highway design factors exist that determine the need.

- For those access locations that have a high percentage of trucks using the access, it may be required that each auxiliary lane be built to full length and width according to **Section 4.8** and the transition taper length shall extend beyond the full length.

A. Additional requirements for : Access Categories 2 & 3

A left turn lane with deceleration, storage, and taper lengths is required for any access which allows a left turn ingress movement, except for farm access.

A right turn lane with deceleration and taper lengths is required for any access with a projected peak hour right turn ingress turning volume greater than 10 vph.

A right turn lane with acceleration and taper lengths is required for any access with a projected peak hour right turning volume greater than 10 vph.

A left turn acceleration lane may be required if such a design would be a benefit to the safety and operation of the roadway.

Left turn acceleration lanes are generally not required where; the posted speed is less than 50 mph, or the intersection is signalized, or the acceleration lane would interfere with the left turn ingress movements to any other access.

B. Additional requirements for : Access Category 3

Left turn acceleration lanes are generally not required where; the posted speed is less than 45 mph, or the intersection is signalized, or the acceleration lane would interfere with the left turn ingress movements to any other access.

C. Additional requirements for : Access Categories 4 & 5

A left turn deceleration lane with taper and storage length is required for any access with a projected peak hour left ingress turning volume greater than 10 vph. The taper length will be included within the required deceleration length.

A right turn deceleration lane and taper length is required for any access with a projected peak hour right ingress turning volume greater than 25 vph. The taper length will be included within the required deceleration length.

A right turn acceleration lane and taper length is required for any access with a projected peak hour right turning volume greater than 50 vph when the posted speed on the highway is greater than 40 mph. The taper length will be included within the required acceleration length. A right turn acceleration lane may also be required at a signalized intersection if a free-right turn is needed to maintain an appropriate level of service in the intersection.

Right turn deceleration and acceleration lanes are generally not required on roadways with three or more travel lanes in the direction of the right turn.

A left turn acceleration lane may be required if it would be a benefit to the safety and operation of the roadway.

A left turn acceleration lane is generally not required where; the posted speed is less than 45 mph, or the intersection is signalized, or the acceleration lane would interfere with the left turn ingress movements to any other access.

D. Additional requirements for : Access Categories 6, 7, 8, & 9

A left turn lane with storage length plus taper is required for any access with a projected peak hour left ingress turning volume greater than 25 vph. If the posted speed is greater than 40 mph, a deceleration lane and taper is required for any access with a projected peak hour left ingress turning volume greater than 10 vph. The taper length will be included within the deceleration length.

A right turn lane with storage length plus taper is required for any access with a projected peak hour right ingress turning volume greater than 50 vph. If the posted speed is greater than 40 mph, a right turn deceleration lane and taper is required for any access with a projected peak hour right ingress turning volume greater than 25 vph. The taper length will be included within the deceleration length.

4. DESIGN STANDARDS AND SPECIFICATIONS

4.1 Purpose

The Department has developed the following design standards and specifications in conjunction with the Access Categories to protect the functional integrity of State Highways, maintain and preserve traffic mobility, provide efficient and necessary access, while protecting the public health, safety, and welfare.

4.2 Use of this Section

If the Department determines that an application for access meets the requirements of **Section 3**, **Section 4** shall be used to precisely locate and design the access within the criteria set forth in **Section 3**. When a local government has established by ordinance or resolution more stringent design standards than required in this section, the local standards may govern where applied by the local government and as determined acceptable to the Department. All construction materials, techniques and processes shall be in conformance with the specifications on the permit, and shall not be inconsistent with Department standard specifications for road construction.

If an access application meets criteria established in **Section 3** and is unable to comply with **Section 4** criteria, the access permit should be denied unless a variance is granted pursuant to **Section 3.1**.

This section relies on general design techniques. The use of more exact geometric engineering standards and methods is permissible provided the design meets Manual purposes, does not violate Manual standards, and is based upon desirable nationally accepted standards and is determined acceptable to the Department.

Speed, as used in this section, refers to the posted legal speed limit at the access location at the time of permit approval. A higher speed for access design shall be used if the section of highway is presently being redesigned or reconstructed to a higher speed or an approved access control plan requires a higher speed.

A proposal for access may not presume a lower posted speed limit than currently posted or request a lower speed limit in order to accommodate the access unless specifically directed in writing by the Department.

Where a traffic signal will be installed as part of the access construction, the access design and the anticipated posted speed limit after signal installation may be used for the overall access design at the discretion of the Department.

The most recent editions of the reference works, but not limited to, cited in the reference section of the Manual shall be used for the design standards applied in this **Section 4**.

4.3 State Highway Access Management Standards

Table 4-1 summarizes State Highway Access Management Standards regarding minimum desired signal spacing, minimum street and access spacing, and minimum interchange crossroad access spacing.

Table 4-1: State Highway Access Management Standards

Category		Minimum Signal Spacing (feet)	Minimum Street Spacing (feet)	Minimum Access Spacing (feet)	Minimum Interchange to Crossroad Access Spacing (feet)		
					to 1st R-in R-out A	to 1st Intersection B	from last R-in R-out C
1	I	Freeway/Interstate Standards Apply					
2	S-R	5,280	1,000	1,000	1,320	1,320	1,320
3	S-U	2,640	No Un-signalized Access Permitted		1,320	1,320	1,320
4	R-R	2,640	660	500	660	1,320	500
5	R-UF	2,640	660	350	660	1,320	500
6	R-US	2,640	350	200	500	1,320	500
7	C-R	1,320	300	150	Not Applicable		
8	C-U	1,320	300	150			
9	O	1,320	300	150			

Minimum interchange crossroad access spacing standards A, B and C are defined as follows:

A. Standard “A” refers to the distance from the interchange off-ramp gore area (point of widening) to the first right-in/out driveway intersection.
B. Standard “B” refers to the distance from the interchange off-ramp gore area (point of widening) to the first major intersection.
C. Standard “C” refers to the distance from the last right-in/out driveway intersection to the interchange on-ramp gore area (point of widening).

*Note: A grant of access does not guarantee a right or interest of full movement access.

A. Signal Spacing

Minimum signal spacing addresses the uniformity and frequency of signalized intersections along a highway and is thought to be one of the most important access management techniques. Signal spacing generally governs the performance of urban and suburban highways. Traffic signals that are closely or irregularly spaced bring about increases in the number of accidents, stops, delay, fuel consumption, and vehicular emissions. Long and uniform signal spacing allows for more efficient progression throughout the corridor and provides for the implementation of a more efficient traffic control system to accommodate variations in peak and off-peak period traffic flows.

- Signal spacing is measured from the centerline of the existing or future signalized intersection cross-street to the centerline of the next existing or future signalized intersection cross-street.

B. Street and Access Spacing

Access points, driveways and public streets, introduce conflicts and friction into the traffic stream. Vehicles entering and leaving the main roadway often slow the through traffic, and the difference in speeds between the through and turning traffic increases accident potential. By increasing the spacing between access points traffic flow and safety is enhanced by reducing the number of conflicts per mile, by providing greater distance to anticipate and recover from turning maneuver, and by providing opportunities for the use of auxiliary turn lanes.

- Access spacing is measured as the distance from the inside point of curvature of the radius of an intersection or driveway to the inside point of curvature of the next intersection or driveway radius. In the case of a flared curb driveway, the distance is measured to the inside driveway edge.

- Street spacing is measured as the distance from leaving point of tangent to receiving point of tangent.

C. Corner Clearance

The minimum access spacing standards shall apply to issues specifically related to corner clearance. Corner clearance represents minimum distance that shall be required between an intersection and the nearest driveway.

D. Interchange Crossroad Access Spacing

Freeway and expressway interchanges provide the means of allowing traffic to transition from freeways to arterial, or lower functioning, roadways. Interchanges also serve as important focal points of roadside development in urban, suburban, and rural areas. Where intersections are too close to the arterial/freeway interchange ramp termini, heavy weaving volumes, complex signal operations, frequent accidents, and recurring congestion result. Access should be sufficiently spaced so as to allow the smooth transition between freeway/interstate and intersecting lower functioning roadways.

Elements considered in computing minimum interchange crossroad access spacing distances include:

- The distance required to weave across the through travel lanes.
- The distance required for transition into left-turn lane(s).
- The distance needed to store left turns with a low likelihood of failure.
- The distance from the stop line to the centerline of the intersecting road or drive.

The Department may require an applicant to conduct a weaving or speed change lane analysis given unique area conditions. If the analysis shows that a greater spacing is necessary to provide for safe and efficient weaving maneuvers, the greater distance shall be used.

4.4 Sight Distance

Driveways shall be located to provide adequate sight distance along the highway. Any encroachment on sight distance shall be allowed only when approved by the Region

Director or their designee prior to construction. Any potentially obstructing objects such as but not limited to advertising signs, structures, trees, and bushes, shall be designed, placed and maintained at a height not to interfere with the sight distance needed by any vehicle using the access. Sight distances shall be in accordance with current AASHTO guidelines and in accordance with Department Standard Drawings. Additional sight distance may be required for multilane highways.

Modifications to the existing highway may be required for access points with less than the required minimum sight distance. Modifications may include, but shall not be limited to, changes to horizontal or vertical alignments, addition of acceleration and/or deceleration lanes, roadway relocation, use or creation of other general street system facilities, or other modifications as required by the Region Traffic Engineer.

4.5 Access Width

Access width shall be adequate to properly accommodate the anticipated traffic volumes, lane geometries, and vehicle characteristics and shall be within the limits specified for the particular conditions and land use type(s).

Access width is the actual traveled portion of the access as it extends away from the roadway. Access width for any type access without curbs shall be measured exclusive of the radii or flares. Width of an access with a curb return entrance and driveways with curb cuts, shall be measured exclusive of the flared sections, transitions, curb and gutter. The width of any non traversable median is not counted as part of the access width. In measuring access width, only the travel portion of the access is measured.

Access widths shall, at a minimum, be in conformance with **Table 4-2**.

Table 4-2: State Highway Access Widths

Land Use	Direction Use	Minimum Access Width (feet)	Maximum Access Width (feet)
Commercial or Industrial	two-way	25	50
	one-way	16	30
Residential	two-way or one-way	12	20
Farm	two-way or one-way	16	32

If two one-way approaches (one-way in, one-way out) are adjacent to each other, they shall be divided by a non traversable median of at least four feet but no more than 25 feet wide and treated as one access. The access median shall be signed and clearly visible.

When a public street, road, highway or any access intended to become a public way intersects with a State Highway, the long term traffic projections and consideration of the modal use of the public way shall be used to select an appropriate access width and lane geometry, subject to the approval of the Department.

4.6 Edge Clearance

Edge Clearance is the distance from the adjacent property line to beginning curb radii of the access and shall, at a minimum, be in conformance with **Table 4-3**. If a greater clearance spacing can be achieved, and the spacing conforms to the standards of this Manual, it is encouraged. Local standards may be utilized where a higher standard exists. Shared access locations should also be considered to reduce multiplicity of access points.

Table 4-3: State Highway Edge Clearance

Land Use	Minimum Edge Clearance (feet)	
	Urban Areas	Rural Areas
Commercial or Industrial	10	15
Residential or Farm	15	20

4.7 Access Radii

The equivalent turning radii of the access shall accommodate the turning radius of the largest vehicle using the access on a daily basis and shall, at a minimum, be in conformance with **Table 4-4** and UDOT Standard Drawing, GW-4.

Table 4-4: State Highway Access Radii

Land Use	Access Radii (feet)*			
	Urban Areas		Rural Areas	
	Min.	Max.	Min.	Max.
Commercial or Industrial	30	60	30	60
Residential or Farm	10	15	20	30

* Examine vehicle profile utilizing the subject access and design an appropriate radii.

Where curbs are present, a curb cut style driveway will normally be required and designed in accordance with the Department Standard Drawings. Radius curb returns may be used when determined to be necessary and are not inconsistent with existing or planned conditions. The Department shall determine if a curb cut or radius curb returns are required in accordance with existing or planned conditions.

When a public street, road, or highway or any access intended to become a public way intersects with a State Highway, the design criteria of the local government and the Department may be used to select appropriate radii, corner and intersection design, subject to approval by the Department.

Where there are numerous accesses, such as along an established municipal street or road, it may be desirable to reduce the radii in order to improve visual and physical

separation of accesses. Where feasible or required by the Manual, access should be combined or closed to reduce the frequency of accesses and increase the spacing between accesses.

To minimize pedestrian conflict and total access width at the roadway edge, radii shall not be constructed larger than required to accommodate the volume and types of vehicles using the access on a regular basis.

4.8 Driveway Profile

- For all curb cuts, the vertical curve from the traveled way into the access shall be the flattest curve that can be obtained.

- Where curbs are used along the roadway and sidewalks are provided or contemplated, then the sidewalk shall be lowered to provide a suitable gradient for the driveway. In such case, the surface of the sidewalk shall be sloped gently from either side of the driveway. The driveway design shall permit storm flow to remain within the State Highway system and the development site respectively.

See the Department Standard Drawings for Driveway & Sidewalks, GW4

Driveway gradients, depicted in **Figure 4-1,** shall be within the minimum and maximum ranges shown in **Table 4-5**.

Figure 4-1: Typical Driveway Profile

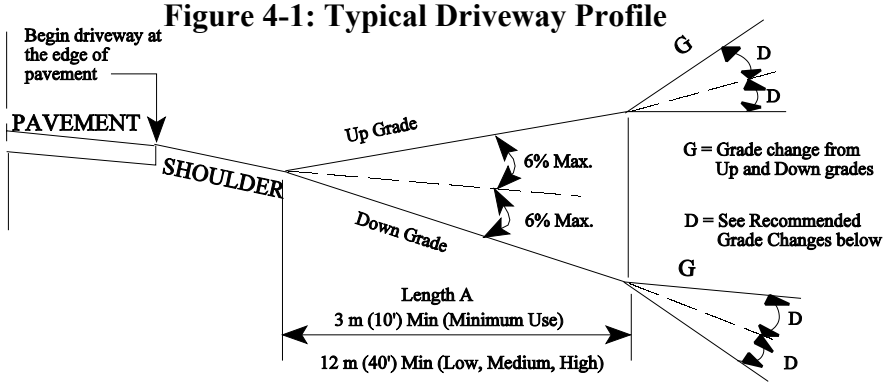

Table 4-5: Recommended Driveway Grade Change (See 'D' in Figure 4-1)

Volume Level	Driveway Volume (ADT)	Minimum Grade Change (D)	Maximum Grade Change (D)
Low	0-500	±6%	Controlled by vehicle clearance
Medium	501-1500	±3%	±6%
High	> 1501	0%	±3%

The profile of a driveway with a negative slope and without a highway edge curb **(See Figure 4-1)** shall conform to the following standards:

- From the edge of the traveled way to the outer edge of the shoulder, the gradient shall be the same as the shoulder slope.
- From the outer edge of the shoulder, the gradient shall continue at the same slope as the shoulder. If a downward gradient is necessary, it shall be no more than 6%.
- A standard automobile shall be able to pass over all slope changes without dragging.

The profile of a driveway with a positive slope and without a highway edge curb **(See Figure 4-1)** shall conform to the following standards:

- From the edge of the traveled way to the outer edge of the shoulder, the gradient shall be the same as the shoulder slope.
- From the outer edge of the shoulder, the gradient shall continue at the same slope as the shoulder. If an upward gradient is necessary, it shall be no more than 6%.
- All slope changes shall provide adequate clearance at the front and rear overhang of the vehicle.

The profile of a driveway with highway edge curbs **(See Figure 4-1)** shall conform to the following standards:

- The maximum slope difference from the gutter line to the sidewalk (if any) shall be 6%, between the downward cross slope of the traveled way and the upward slope of the driveway.
- A gradient of not more than 6% shall be maintained beyond the outer edge of the sidewalk.

4.9 Driveway Vertical Curves

Driveway vertical curves shall be as flat as feasible and at least 20 feet long. In order to prevent vehicle center or overhang drag, vertical curves shall avoid a hump or dip greater than 6 inches within a wheelbase of 10 feet. To prevent center or overhang drag, with some allowance for load and bounce, crest vertical curves should not exceed a 3-inch hump in a 10-foot chord and sag vertical curves may not exceed a 2-inch depression in a 10-foot chord. Rolled gutters crossed by traffic should be avoided.

On uncurbed sections of highway the gradient of the driveway shall conform to the slope of the shoulder from the edge of the traveled way to the outer edge of shoulder and thence slope downward on a suitable grade to the gutter or low point over a culvert (swale where a culvert is not used). Thereafter, it shall continue downward or upward to match the abutting property. In some cases, it may be necessary to build an uncurbed gutter of a special design to prevent drainage onto adjacent private land.

4.10 Driveway Angle

Single driveways shall intersect the roadway at right angles. Where two driveways are used on one frontage and are to be used for access to and from both directions of travel on the highway, each driveway may be placed at an angle other than a right angle with the roadway edge, but the driveway angle may not be less than the minimums specified in **Table 4-6**.

Table 4-6: State Highway Driveway Angles

Land Use		Desirable	Minimum
Commercial or Industrial	Two-Directional Use	90E	80E
	One-Directional Use - Right Turns Only Egress or Ingress	90E	60E
Residential or Farm		90E	80E

4.11 Emergency Access

An emergency access, when authorized in **Section 3.12**, may have a minimum width to serve one-way traffic and may be less than 16 feet wide. The radii shall be designed to accommodate emergency vehicle profiles appropriate for the development. The access profile can be individually designed without compromising drainage or vertical curve minimums. Surfacing shall be chosen to minimize its visibility while still providing sufficient strength. The emergency access shall have a suitable barrier to eliminate non-emergency use and barrier design usually based upon the standards of the local emergency services. The access shall not be open for non-emergency uses and shall be maintained by the permittee as a closed access except during emergencies. Any barrier shall not be in the State Highway right-of-way and will not be maintained by the Department. The access shall remain closed at all times other than when in use for emergency purposes. The access should be signed for emergency services only.

4.12 Other Design Elements

Access specifications shall ensure that the access is designed and constructed in a manner that will encourage proper use by the motorist. Access limited to right turns may be requested to have a positive barrier such as a non traversable median to prevent unauthorized turns either on the roadway or using the access. Channelized driveway islands may be required for turn restricted driveways when, no restrictive center median is in place or programmed to be constructed or it is likely that there will be frequent violations of the turn restrictions.
An access that has a gate across it shall be designed so that the longest vehicle using it can clear the roadway when the gate is closed. If significant topographical features make this requirement infeasible, providing a wide shoulder for temporary standing while the gate is operated may be permitted or required.

Directing light beams towards the eyes of approaching drivers on the highway is prohibited. All lighting equipment for the roadside development shall be located off the highway right-of-way.

A. Parking

Individual property and combined parcels shall provide sufficient off-system private parking or storage space to handle the needs of the property. Public parking space needs should be addressed according to the local government requirements .

- Parking or storage of vehicles on the highway right-of-way is not allowed.

- Traffic circulation on these areas shall be arranged to restrict backing onto the highway. An access shall not be granted for parking areas that require backing maneuvers within State Highway right-of-way.

B. Site Circulation

The access shall be designed to facilitate the movement of vehicles from the state highway to prevent the queuing of vehicles on the State roadway.

- All off-street parking areas shall include on-site maneuvering areas and aisles to permit user vehicles to enter and exit the site in forward drive without hesitation other than as directed by official traffic control devices. Shared use agreements may be needed to accommodate on-site turning maneuvers.

- The Department may request the review of the parking lot layout and provide those terms and conditions and those design requirements necessary to ensure the safe use of the access.

C. Modal Considerations

Access design shall provide for the safe and convenient movement of all highway right-of-way users and modes of transportation, including but not limited to pedestrians, bicyclists, transit and the physically challenged. Sidewalks may be required where deemed appropriate by the Department or when required by the local authority. Bike paths and a local commitment to maintain the facility, may be included in the access permit requirements upon request by the local authority.

The relocation or installation of highway signs, signals, lighting devices or other traffic control device necessary for the safe and proper operation and control of the access shall be completed by the Department or its agent at the permittee's expense. Arrangements to share costs with other property owners and interests who will benefit from the devices may be made by the permittee. Where the access may warrant signalization in the future, phasing of the installation may be required. All traffic control devices within the highway or other public right-of-way or access that serve the general public shall conform to the MUTCD.

D. Signage at Access Point

Any traffic control devices within the highway or other public right-of-way or access that serve the general public shall conform to the current MUTCD.

Stop or yield signs shall be required for all driveways when warranted by traffic conditions.

E. Drainage

Unless by prior analysis and agreement, any access constructed or modified shall make provision for site retention, detention or accommodation such that no flow of storm water or spill utilize the State highway drainage system. Surface run-off originating on property under development shall be disposed of in accordance with the master drainage plan of

the cities and counties.

All driveways and buffer areas shall be constructed to maintain a positive drainage system within the highway right-of-way and may not alter the stability of the roadway subgrade. The Department is not liable for the quality of drainage waters originating at service stations or special industrial processing plants which are directed into irrigation canals through highway drainage system. Such drainage concerns should be the subject of separate agreements and permits by the developers and irrigation companies.

F. Access Construction

Further details of access construction and design, including pavement thickness and specifications, curb design and specifications, roadway fill design and compaction, testing and inspection, and other specific details, may be provided by the Department.

Refer to the Department Standard Drawing, GW-4, Driveways, for additional information on the standard design concerning driveway design.

- **A construction permit must be obtained prior to any construction in the State Highway right of way.**

The permittee shall notify the Department at least two working days prior to any construction within State Highway right-of-way. Construction of the access shall not proceed until the grant of access permit has been issued. The access shall be completed in an expeditious and safe manner and shall be finished within 90 days from initiation of construction within the highway right-of-way.

Traffic Control Plan

When a traffic control plan is required, such a plan shall be prepared and sealed (stamped) by a licensed Professional Engineer in the State of Utah, be consistent with the MUTCD, and be acceptable by the Department prior to any construction within the right-of-way. Construction may not commence until the traffic control plan has received the approval the Department. Such plans may be revised as necessary with Department concurrence.

The traffic control plan should address, at a minimum, the following issues:

- Construction phasing
- Lane/shoulder closures
- Tapers and device spacing
- Sign boards, arrow boards, variable message signs
- Temp. modifications to traffic signals
- Time restrictions and work schedule
- Lane shifts
- Flagging operations

Buffer Area / Sight Distance

If the buffer area between the traveled way and the right of way line requires regrading by cutting or filling the work shall be done in a manner to insure adequate sight distance for

traffic operation, proper drainage, suitable slopes for maintenance operations and good appearance. Trees, shrubs, ground cover or other landscape features may need to be removed, replaced or suitably adjusted. The buffer area shall be free of any encroachment that would hinder traffic. The buffer area between driveways shall be grated or landscaped to prevent use by vehicles. This may be accomplished by appropriate physical barriers such as curbing, fencing, etc. in a manner that does not impair clear sight across the area.

All culverts, catch basins, drainage channels and other drainage structures required within the buffer area and under the driveways as the result of the property being developed, shall be installed in accordance with the applicable UDOT Standard Drawings and the state and/or local health ordinance specifications when applicable.

Surface

Driveways and connections shall be appropriately surfaced between the traveled way and the service area. On paved highways, the driveway shall be hard surfaced to the right-of-way line or 50 feet with concrete or bituminous surfacing of suitable quality.